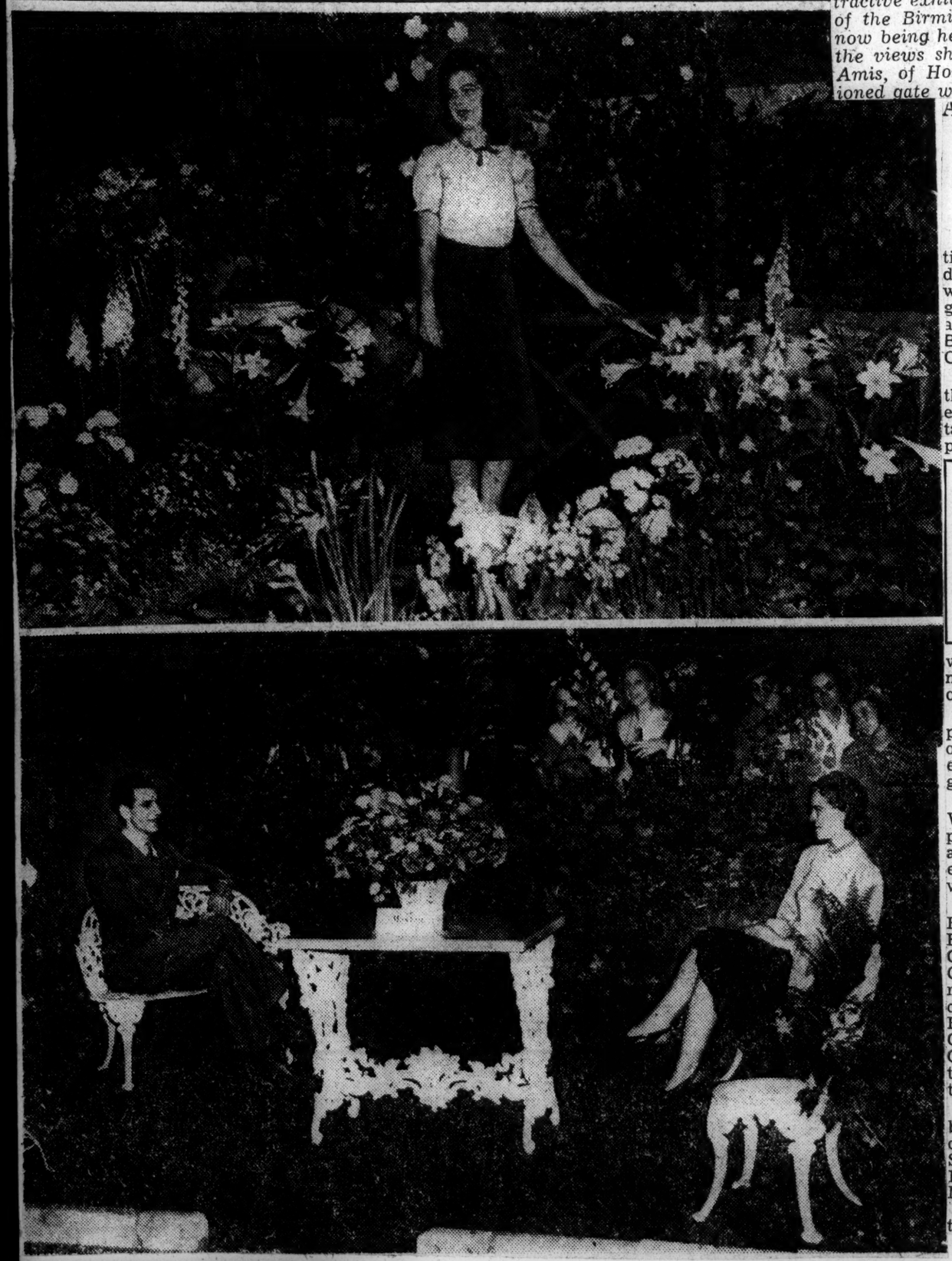
DISCRIMINATION- 1939

ALABAMA

Birmingham, Ala Age-Herald
May 4, 1939

Annual Spring Flower Show Is Opened



Typical of the displays which make up the attractive exhibit at the annual Spring flower show of the Birmingham Federation of Garden Clubs now being held at the Municipal Auditorium, are the views shown above. At the top, Miss April Amis, of Homewood, stands beside an old-fashioned gate which is part of the Edgewood Garden Club display. Bottom, white iron lawn furniture contrasts sharply with brilliant green grass in the Mayfair Garden Club exhibit, at which are seated Gilmore Pugh, landscape expert who arranged the displays, and Miss Martha Huggins, of 8150 Fourth Avenue, South. (Age-Herald - Staff Photos)

Auditorium Transformed Into Lovely Garden For Club Event

Transformed into a veritable section of gardens, the Municipal Auditorium was banked and covered with every form of flower and growing plant Wednesday as the annual Spring Flower Show of the Birmingham Federation of Garden Clubs got under way.

Built around a lily pool set in the exact center of the auditorium, every form of garden decoration, table flower exhibit and trellis display is included in the exposition which had drawn hundreds of Birmingham folk before the day was over.

Gilmore Pugh, landscaping expert, designed the major displays of the show, which is complete, even to a bubbling fountain and gold fish.

Main features of the exhibit Wednesday was the awarding of prizes to sweepstakes winners and a tableau of brides featuring several of the city's loveliest young women.

Mrs. Carr McCormack, of the Home Garden Club and Mrs. J. T. Hackney, of Country Club Gardens Club, tied for first place. Mrs. McCormack, with most second place ribbons was presented a large garden crystal donated by the Globe-Hastings Company. Mrs. R. M. Goodall, of the Glen Iris Garden Club, was second place winner and the educational exhibit was won by the Roebuck Garden Club.

The tableau of brides, modeling brides' costumes and flowers of a century, presented Misses Jane Stewart, Sybil Vogtle, April Amis, Frances Phillips, Genevieve Williams and Wilbur Fite.

Outstanding exhibits in the auditorium include a large American flag made of living flowers by the Bush Hills Garden Club, the "canned" flower exhibit of the Whitesbury Drive Garden Club of Huntsville, a colonial mantle designed and decorated by the Crestline Heights Garden Club and a wedding display by the Crepe Myrtle Garden Club.

The wildlife exhibit arranged by the Alabama State Conservation Department also attracted large groups. Containing specimens of several Alabama animals, birds and reptiles, the exhibit was expressly arranged through the efforts of Neilsen O'Rear, editor of The Alabama Fish and Game News, and is sponsored by the Jefferson County Sportsmen's Association.

NEGRO HOURS PLANNED

The annual Spring Flower Show at the auditorium will be open for Negroes at 8:30 p.m., Thursday, Mrs. W. J. Adams, Garden Club Federation president, said. The move was made in response to numerous requests, according to Mrs. Adams.

TUSKEGEE CHAPLAIN ROUTED UP BACK STAIR

5-27-39

MONTGOMERY, Ala., May 25 (ANP)—Chaplain Harry Richardson of Tuskegee Institute was the guest speaker three days last week at the morning devotional hour broadcast over Station WCOV which he reached by a back stairway.

Mr. Richardson was invited to participate by the Rev. H. E. Wilson, white, pastor of Fraser Memorial M. E. church, this city, who recently refused to eat dinner with Negroes while attending a conference of Negro and white ministers.

Rev. Wilson is now incensed because Mr. Richardson was sent up backstairs and promises action against the broadcast sponsors.

Pensioners Jim-Crowed

Sacramento, March 9, (CNA)—That racial discrimination is rife in administration of old age pensions in California counties, was charged here this week before the senate Committee on social security, pensions and relief.

Fred Davis, 79-year-old member of the old age security union division of the Workers Alliance, made the charge, citing several instances in Alameda county that had come to his personal attention. During the committee hearings, Alameda County has been singled out time and again for its asserted racial discrimination and general jockeying of relief to the hardship of the unemployed.

Los Angeles Principal Accused Of Jim Crowing

LOS ANGELES, Calif.—(CNA)—Gross discrimination against Negro students was the charge leveled this week by Southside Young Democrats after a thorough investigation and report on conditions at the Jefferson High School.

The report asked for the removal of William C. Dickinson, white principal of the school "due to the large number of undemocratic and un-American acts on the part of Mr. Dickinson, and his general tyrannical and unsympathetic attitude."

It exposed astounding conditions in the school.

Dickinson is accused of discouraging inter-racial organizations of students of maintaining segregation in drama classes, of 'squelching student government and student organization,' of having attempted to break up the newly formed chapter of the American Student Union.

The Young Democrats say that he refused to permit a Negro History Club on the campus. He banned inter-racial mingling at student affairs.

Eddie South And Party Win $400 Jim Crow Suit

LOS ANGELES, Aug. 4—The Clemente cafe here was ordered Tuesday to pay a $400 judgment to Eddie South, famed violinist, and Mrs. Kathryn South, Mrs. Ferne Dowdy and George Dowdy for recently refusing to serve the party because of their color. The case was heard by Municipal Judge William R. McKay.

South has been in the city for the past three months under contract at the Trocadero cafe in Hollywood as a special invitation. It was brought out during the trial that South had eaten all over the world and that this was the first time he had ever been refused service for any reason whatsoever.

Attorneys for the cafe corporation contended that the Civil Rights act was intended as a shield and not as a sword and that in this case they believed the plaintiffs were not using the act for the purpose it was intended.

Attorney Thomas L. Griffith, Jr., in representing South and the three others, disagreed with the argument, stating that the law gives a right of action whenever there is a refusal as was in this case.

LEGION JIM-CROW ASSAILED ON COAST

OAKLAND, Calif. (CNA)—Racial discrimination as practiced by the American Legion despite its cries of "tolerance" stood revealed this week, after Los Angeles Negro Legionnaires protested against the barring of colored fighters from Hollywood Legion Stadium events.

A resolution introduced into the Legion convention by Alex Watson, member of the Ben J. Bowle Post No. 228 in Los Angeles, asked that the Hollywood post, promoting stadium fights, permit Negroes to appear or else the Legion prohibit the post from displaying Legion insignia at its boxing shows.

After a hot debate, the resolution was referred to the executive committee of the state organization for study and a report at the next convention—in San Diego a year from this month.

Gives Feeble Defense

The only defense Hollywood post members advanced to their admitted practice of barring Negro fighters was that "our patrons have never questioned our choice of boxers."

Ironically, one of the spokesmen who defended the Hollywood discrimination was John D. Home, state Legion Americanism Commission chairman.

As other white Legionnaires begged that the resolution be given no publicity because the convention did not vote on it, he said that revocation of the right to use Legion insignia at the fights was tantamount to revoking the post's charter.

Boyotts Jim Crow Cafe!

San Francisco.—(CNA)— Maritime Federation District Council No. 2 this wek asked members of all affiliated unions to boycott El Jardin, cafe and beer bar at 22 California Stret, because of its refusal to serve Negro members of the Marine Cooks and Stewards Union.

A Fedration committee led by Secretary Revels Cayon, Negro union leader, conferred with O. Sesenna, cafe manager, earlier in the week and received a blunt refusal to change the discrimination policy. Sesenna claimed "the public won't stand for Negroes eating and drinking with them in the same restaurant." The Federation retorted with the resolution urging boycott of the place.

SCHOOL 'COLOR LINE' SMASHED

BERKELEY, Calif., Oct. 12. (ANP)—A fight of many months to get Negroes in the school system here was won last week when School Board President Louise Hector, at a crowded board meeting, said: "This board hereby affirms the rights guaranteed all people under the Fourteenth Amendment and instructs the superintendent to recommend employees solely on fitness for tasks without reference to race or creed."

Those who led the fight to lower the bar included Frances Albrier, chairman of the Negro Citizens' Committee, and Dr. N. D. Crawford, committee member. The mayor and many other white leaders also fought for Negroes as teachers.

Race Joins Mexicans In Probing California School Discrimination

By LAWRENCE F. LaMAR

WILLOWBROOK, Calif. Dec. 15—This little township of Willowbrook, lying halfway between the township of Abala, and the city of Compton, presents a perplexed and pathetic sight as its citizens go about their tasks, wearing a bewildered and unhappy countenance. Cause of this dismay is the growing problem of race strife there and adjacent towns.

Most of the problem is centered around Compton Junior college Parents of children report stories of "cruelty" and "unusual" punishment meted out to Race and Mexican children. The type of treatment given these children borders on "intimidation," a committee reports.

Background of the situation dates back to some time ago, when certain white residents of this township and Compton objected to the presence of Race citizens in the vicinity as residents. Local papers ran stories of an uncomplimentary nature trying to scare them and their Mexican neighbors out of the district. Other groups, acting obviously with the connivance of certain alleged "leaders," suggested strongly a separated school district.

Race and Mexican residents of this community, however, elected to stick to their civil rights, and have since kept on sending their children to Compton. Many specific instances of inordinate and excessive punishment to children of Mexican and Race parentage were cited last Sunday when the Willowbrook Civic Betterment association held its first meeting.

At the meeting were citizens of all racial groups, who are joining in the protest at the school's segregated policy. The principal of the school disclaimed any knowledge of a systematic attack on any children. Moreover, a request was made for a more specific detail of the charges made when the investigating committee meets Wednesday with the school authorities. Significant of what has happened here, is a meeting to be held Sunday. The National Congress of Spanish Speaking People of the U.S.A., convenes for the purpose of looking into this as well as any other trouble of the nature.

To this meeting has been invited interested Race members to join forces in fighting race and religious discrimination. Zurlease Schamberger and J. Campbell Banks were appointed by the Willowbrook Civic Betterment association as delegates to the Spanish Speaking Congress to press the segregation protest.

NEGRO CITIZENS LOSE COURT DECISION IN JIM-CROW CASE

Pasadena Judge Says "Plaintiffs Sought Wrong Legal Remedy;" to Continue Fight Against Pool Discrimination

LOS ANGELES.— (ANP) —In a court opinion the results of which was to give at least temporary victory to Pasadena in its fight to prevent Negroes from using its swimming pools freely, Superior Judge Clement D. Nye last week held that plaintiffs in the case which has been pending since last fall had sought the wrong legal remedy and that their case must fall on that account. The judge ruled that an injunction should have been sought instead of a writ of mandate.

Explaining the decision, Atty Thomas L. Griffith Jr., who represented the plaintiffs, pointed out that he had followed well established precedents in seeking a writ of mandate and that the courts have held that it is the proper manner of procedure. He also said that he had filed a motion for a new trial and that a hearing on the motion had been set for January 3.

The attorney also stressed the point that Judge Nye's decision was not based upon the merits of the case at all but simply upon a legal technicality and said that if necessary the question would be presented to the supreme court in an effort to clarify the law and clear the path for a decision on the question of whether or not California cities have a right to discriminate against Negroes in the use of swimming pools.

The case arose out of the rule established by Pasadena limiting use of the pool to Negroes on Tuesdays only except where Tuesday happened to be a holiday in which case another day was awarded to Negroes.

The city argued that it had a right to make such a rule on the theory that swimming is a "social right" and that a city is empowered under those circumstances to set aside certain days for the use of certain groups of citizens.

Contesting this argument the plaintiffs asserted before Judge Nye that California cities have no right to make any distinctions between citizens and that all racial groups must be given free access to any facilities operated by the city.

As a result of the law suit, Pasadena citizens and those in surrounding cities have been engaged in a bitter and vicious campaign to restrict homes against use and occupancy by Negroes in an effort to make those cities "lily white." That campaign has reached large proportions with many civic organizations participating in the drive.

A similar question was before the Los Angeles courts several years ago and Judge Walter S. Gates ruled that the city lacked power to discriminate in the use of swimming facilities. He made his ruling in sustaining the application for a writ of mandate, the same legal remedy found faulty by Judge Nye.

Dr. Emmet J. Scott Says New Deal Discriminates Against Negroes

8-18-39.

EMMINENT REPUBLICAN LEADER SAYS SECRETARY OF WAR COMMITTED ACT OF DISCRIMINATION

WASHINGTON, D. C. — Charging that the Sectrary of War's refusal to set aside sums of money for the training of Negro youth in the various armed services of the Government was an act of discrimination, Dr. Emmett J. Scott, Assistant Publicity Director of the Republican National Committee, in a recent statement for press release, accused the New Deal with shirking its duty to blot out discrimination.

"It is not necessary for me to characterize the failures of the New Deal Administration in so far as they relate to our Colored population," the release stated. "I certainly can use no stronger words than those of a leading newspaper, **The Pittsgurgh Courier** which supported the New Deal in the [illegible] parently in deep disappointment and disgust, **The Courier** said:

"The New Deal has done little to end colored discrimination but a great deal to prolong it. Beginning with the NRA it bowed to the will of the reactionary South both inside and outside the South. show America how the Negro ought to be treated, but it lost this opportunity through cowardice and political opportunism. Most Americans would have approved a Square Deal Policy, but instead the Southern tail wagged the De It had a wonderful opportunity to mocratic dog.

"For the Negro, the New Deal has been the Old Deal in new clothes. With powers almost as great as those of Hitler, Stalin and Mussolini, the Democratic Administration has winked at discrimination in NRA, FHA, PWA, CCC, WPA, and a dozen other alphabetical services. We have helped spread Jim Crowism over the country where it had never before existed, and Negro New Deal Officeholders have approved of it by silence or hollow apology.

"Washington, D. C. is as Jim-crow as ever, if not more so, but no single word of critism has come from Mr. Roosevelt. He has expressed shock over the beating of Jews abroad, but not over lynching of Negroes at home. Mr. Roosevelt could have at least deplored the fact that Negroes are paraihs within the shadow of the White

With these words from a prominent newspaper that helped elect the new Deal, ringing in their ears, it rather oc occurs to me to say that thoughtful Colored Americans will keep in my opinion want to find their way back to a party of which it may be said, that, at least it has always stood for the basic principles of American democracy; and, that not a single disfranchising law; not a single Jim-Crow law; not a single peonage law; not a single Government regulation setting up regional wage differentials, has ever been passed by any State dominated by Republican opinion, or by any Republican administration at Washington.

Colored Barred At Hot Mikado

Journal and Guide

WASHINGTON, D. C. — The National Theater has refused point-black to open its doors to colored theatergoers during the seven-day engagement of "The Hot Mikado" here.

Bill Robinson the inimitable tap dancer, who is starred in the show made a hurried trip from Baltimore to Washington last week when he heard that the theatre might be picketed during the engagement of "The Hot Mikado."

His plaint was that an all-colored show should not be picketed out as a means of putting pressure upon the theatre to drop its color ban when nothing is done in the interim between colored shows.

Pressure groups take the position, however, that there is no let up in their campaign for equal rights in the District and that colored shows afford an opportunity to emphasize the embarrassment in which colored residents of the Capital suffer by reason of racial discrimination.

This is the first time since "The Green Pastures" played here in 1933, that the National has not opened its doors to colored theatregoers without discrimination during the engagement of a colored show.

When "The Green Pastures" played here for two weeks in 1933, local Elks sponsored a special performance on a Sunday evening. This action drew bitter criticism of the Elks.

"They Shall Not Die," a play by John Wexley based upon the Scottsboro case which was booked for the National in 1934, was canceled because of the District's laws preventing the appearance of any one under 16 on the stage. Racial considerations were also believed to have contributed to the cancellation.

POLICY SHIFTS

In 1936, when the Theatre Guild presented "Porgy and Bess," the National was opened to race theatregoers and there was no discrimination in seating. The same thing was done when Ethel Waters came in the same year in "At Home Abroad," co-starring with Beatrice Lillie, the English comedienne.

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Journal & Guide 1-14-39

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Mr. Robinson, in a statement to the press last week, advised Washingtonians that any action which might harm the chances of the actors or embarrass them would neither be a wise step to take in the fight to gain their civil liberties here nor would it help the actors in their well-deserved opportunity to work at their professions.

In most instances during the past several years when all-colored shows have come to the National theatre, arrangements of some sort were made by the management to admit Race patrons, following or-

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Robinson's advice was to the effect that Washington theatre patrons devote their efforts the yearround to obtaining permission to attend the theatres instead of concentrating their protests against shows in which Race players are cast.

WASHINGTON, D. C., Dec. 22—Although Race citizens resented the National theatre's refusal to permit them to attend "The Hot Mikado," featuring an all-colored cast at the theatre last week, there was no public demonstration of any kind.

Some believe that the plea of Bill Bojangles Robinson, beloved tap dancer and star of the show, had much to do with the quiet and calm that reigned during the week of the show as compared to

VOTE UPHOLDS STAND TAKEN BY DIRECTORS

Organization Does Not Want Race Members In Its Building

WASHINGTON, Feb. 10—Despite the protest of famous persons in the world of music, including stars of the Metropolitan Opera, and a strong telegram from the National Association for the Advancement of Colored People, the Daughters of the American Revolution voted to uphold its ban against the appearance of Marian Anderson in a concert, which was to have been held at Constitution Hall here April 9.

The action of the D. A. R. was taken by its board of directors at a meeting here Thursday. It followed on the heels of strong protests from Lawrence Tibbett and Kirsten Flagstad, stars of the Metropolitan Opera; Leopold Stokowski, former director of the Philadelphia Symphony orchestra and Walter Damrosch, famous composer and musician of New York.

In a telegram to the D. A. R. sent January 21, Walter White, secretary of the N. A. A. C. P., said:

"May we respectfully urge revocation of the ban on other than white artists appearing in Constitution Hall. Specifically, the refusal to permit Marian Anderson, distinguished Negro contralto, to sing there in April has shocked musicians, music lovers and fair-minded Americans generally. Barring a world-famed artist because of color, from a building named by the Daughters of the American Revolution, 'Constitution Hall,' violates the very spirit and purpose of the immortal document after which they hall is named."

N. A. A. C. P. attorneys are considering filing a petition to have the tax-exempt ruling on the hall rescinded.

White Bar Group Wants Brown's Suit Dismissed

WASHINGTON

The U.S. District Court was asked, Thursday, to dismiss the suit of Huver I. Brown, attorney, 811 Florida Avenue, Northwest, to force the District Bar Association, a lily-white organization, to vacate its law library quarters in the court house building.

The motion to dismiss was filed on behalf of the white bar association by three of its former presidents, Walter M. Bastian, Godfrey L. Munter, and Henry I. Quinn.

Didn't State Claim

They contend that Mr. Brown failed to state a claim against the white bar association upon which relief can be granted.

The complaint of Mr. Brown, they say, shows that the court-house building is under the control of the Attorney General of the United States and that the law library of the white bar association occupies quarters in that building with his permission.

They contend that the complaint is an attempt to do indirectly that which could not be done directly by a suit against the Attorney General.

They maintain that the judicial power will not be interposed either by mandamus or injunction to limit or direct the action of public executive officers in respect to matters within their jurisdiction and control.

Interference in such a case, would be to interfere with the functions of government.

The complaint, they also contend, does not allege that the Act of Congress, which placed the control of the court house under the Attorney General, so expressly limited the use to which space in it might be put as to deprive him of all discretion.

They also assert that Mr. Brown has no such interest as to entitle him to maintain his suit.

METROPOLITAN LIFE INSURANCE CO. AGAIN

Speaking before the Monopoly Investigating Committee in Washington, D. C., last week, Frederick H. Ecker, chairman of the board of the Metropolitan Life Insurance Company, said:

"Extreme publicity is one of the great cures, or preventions, rather, for abuses in business, and our business is a fine example of that."

"Extreme publicity," he continued, "is given to all the affairs of the life insurance business."

Since the Metropolitan Life Insurance Company welcomes extreme publicity, it might be well to remind our readers again that although this corporation has written a billion dollars worth of Negro business, it is one of the worst jim crow concerns in the United States.

Not only does the Metropolitan discriminate against Negroes in the writing of insurance but it has now added insult to injury by informing Negroes who wish to take out policies in several States that they will not be served by agents but must come to a central or district office for that purpose.

Worst of all, the Metropolitan Life Insurance Company bars Negroes employment because they are Negroes and for no other reason, and refuses to even discuss the question of giving a colored citizen a job.

Mr. Ecker boasted that his company had invested vast sums of money in two large-scale housing projects in New York City, but he neglected to say that both housing projects are for white people only, although the money of Negroes helped to construct them.

Here is a soulless corporation determined to do all it can to exploit Negroes and to give them nothing in return.

This is something for colored people to think about when planning to insure themselves.

There are a score of colored insurance companies, subject to the same laws and regulations as the Metropolitan, which do NOT discriminate against Negroes and which supply jobs to over 6,000 Negro agents, clerks and executives who live, marry and spend among us, patronizing our businesses and helping to build and maintain our institutions.

The Metropolitan doesn't want our patronage, and shows it.

These Negro-owned companies do, and show it.

Barred At Catholic Univ.



HUDSON J. OLIVER Jr.

Catholic University Bars Dr. Oliver's Son From D.C. Track Meet

Another rank case of color discrimination was uncovered last week when it was learned that Hudson Oliver, Jr., twenty year old senior of the St. Peters College track team, had been barred by Catholic University athletic officials from competing in a Washington, D. C., track meet because of his color.

Oliver, son of Dr. Hudson J. Oliver, Sr., prominent local physician, is a graduate of St. Francis Military Academy where he starred in baseball, basketball and track. He is now taking a pre-medical course at St. Peters College in Jersey City where he is the only member of his race on the track team.

Appearing on the floor to take his turn at the high jump, young Oliver was informed by a meet official that his name had been scratched from the event by a member of the Catholic University athletic staff. Oliver notified his coach, Victor Burke, who immediately made inquiry into the jim-crow action. Coach Burke was informed that there was a rule in the Catholic University athletic organization prohibiting Negro and white athletes from taking part in the same meets in Washington, D. C.

Dr. Hudson J. Oliver, Sr., is president of the Catholic Inter-Racial Guild and prominent in Catholic church activities.

Catholic University Bars Harlem Track Star From Contest

Washington, March 23—(ANP)—Although his father, Dr. Hudson J Oliver of New York, is presiden of the Catholic Interracial guild and prominent in all activities o his church, it did not prevent Catholic University officials from barring his son, Hudson, Jr., from participating in a track meet here because of his race.

The young Harlemite a graduate of St. Francis Military academy, who is now taking a medical course at St. Peters College, Jersey City, is a senior and the only Negro member of the track team, specializing in the high jump.

When Oliver appeared on the floor to compete, he was told his name had een scratched from the event by a member of the Catholic University athletic staff. The youth notified his coach, Victor Burke, who on investigation was told there was a rule in the Catholic University organization prohibiting white and colored athletes from taking part in the same meets in Washington.

Washington, Nation's Capital, Has Adopted "Worst Characteristics" Of North And The South With Discrimination Rampant

Washington Bureau
Associated Negro Press

WASHINGTON, Mar.—Other than the fact that Washington is the capital of the United States, few Negroes know very much about the town, excepting, of course, those who live here and those along the Eastern seaboard who make this a stop in their annual vacation trips.

According to one report, the population of this city has reached the impressive figure of 527,000—compared to a little more than 200,000 a decade or so ago. And of the entire number, at least one-third is colored. This estimate gives Washington a Negro population comparable to that of the greater metropolises, New York and Chicago.

However, among these Negroes, there is a property ownership estimated at close to $10,000,000, on which these non-voting citizens pay a neat tax.

"WORST CHARACTERISTICS

Being a "border town", that is neither Northern nor Southern, the city has adopted the worst characteristics of both. For instance, Negroes are permitted to ride on the street cars without fear of segregation or being asked to move in order to permit a white person to sit. But there the freedom ends. Segregation of the vilest sort is practised everywhere else.

No topnotch theatre downtown thinks of Negroes attending a show. And a favorite pastime of the very lightskinned Negroes is to go to these very theatres and see pictures which will be months later coming uptown! They laughingly boast of it.

In government departments, large groups of Negroes working in a department are usually segregated to themselves—not permitted to enjoy the usual facilities furnished for other workers and usually dare not attempt to eat their lunches in the general cafeterias found in these huge buildings.

SEPARATE DINING FACILITIES

Many of the buildings have separate dining facilities for Negroes. The same condition exists in the matter of lavatories—separate for whites and Negroes. However, the latter are permitted to use the front door and the elevators.

In the Negro section of Washington, especially along U street—at 10th and U, there is a magnificent building, originally belonging to the Masons—subsequently lost by the Masons—now housing the Railroad Retirement board. A few blocks higher on the same street is the huge new building housing a branch of the Social Security board. Negroes are employed in these buildings as attendants and messengers.

Throughout the town there is a lusty overtone of the fair (sic) South. Even the telephone company's employees speak with that drawl usually associated with the deep South. Yep, as sure as you are reading this, the more convinced the writer is that this is not a border town at all—it belongs entirely to the South, and to that portion which prides itself in being called the "Rebel South".

There is no gainsaying the fact that the lack of voting power has much to do with the condition Negroes find themselves in here. Consider the immense balance of power in their hands should some, shall we say unthinking, congress vote to give the residents of the district the right to vote! The problem there, however, is how many would exercise that right?

Focusing attention on the Negroes of the capital—one finds several interesting items. In the city, there are more educated Negroes than in any other section of the country. They hold degrees from local schools and from other institutions as well. And many of them do not even bother to practice their professions.

You can scarcely turn without bumping into a lawyer who is now working as a messenger in one of the departments—or a doctor or physician who just refuses to give up his secure if not lucrative government job for the uncertainties of an income as a professional man. Yet, there are professional men who are making nice incomes at their professions.

Retired government workers, secure that they will be provided for the balance of their lives, take on interesting sidelines to keep from idling away the rest of their days. Real estate is the chief "plaything" for these "youngsters", and they are as earnest in the pursuit of an occasional dollar as any younger hustler in the business.

The dual system of schools gives employment to hundreds of colored men and women and pays them nice, comfortable salaries. The elimination of this system, which many decry but do nothing about, would throw many of the upper strata out of work.

D. C. COLOR PHOBIA

These constitute the upper class in Washington's society. And they are just about as snooty as any group of people could be. There is a story of a church in Charleston, S. C., which often told, evokes much comment elsewhere, to the effect that light-skinned Negroes sit on one side of the church and their darker brethren sit on the other. That isn't exactly true of Washington, but it is true that many of our best folk are what is commonly called "color-struck".

Below this group is the domestic group—large in any city and especially so here in Washington, for many of the Southern residents in the city insist on having colored servants. They form their own little cliques and rarely break through the barriers to the upper social level.

Business is limited to insurance companies, of which there are five operating in the city—with a white insurance company doing the bulk of the business and maintaining a separate office downtown to handle colored clients! There is one bank, many barber shops, billiard rooms, liquor stores, restaurants of a kind, and bootblack stands. Of course, there are beauty shops and several good printing establishments. But, as usual, the scope of the businesses is limited.

COMMERCIAL ENTERTAINMENT

Amusements here are in the hands of one concern—as far as theatrical enterprise is concerned. The Lichtman theatres control practically every theatre in the upper section of the city, and one or two in outlying areas.

However, it must be said that these theatres are models of cleanliness and the service rivals that of the Keith-Orpheum circuit in larger cities. Comfortable houses good attractions, excellent service mark the theatre's inducement to Negroes to attend.

This situation is far superior to that in other large cities, especially New York, where an owner of a group of theatres does not begin to measure up to the Lichtman houses.

In fact, one of the theatres presenting legitimate shows makes certain our performers "launder" their acts before presenting them to the public.

ALL D. C. THEATRES MAINTAIN A RIGID JIM-CROW POLICY

Lautier Gives Some "Inside Information" On Policy of Nation's Capital Insofar As Race Is Concerned.

By LOUIS LAUTIER

WASHINGTON, April 27—Prevailing conditions and customs do not exclude colored artists from appearing anywhere in the District of Columbia, notwithstanding Mrs. Henry M. Roberts, President General of the Daughters of the American Revolution advanced such proscription as a defense of the denial of the use of Constitution Hall for a concert by Marian Anderson, world-famous contralto.

Insofar as Mrs. Roberts in her annual report last Tuesday inferred that racial segregation and discrimination are generally practical in Washington, she is correct. As far as could be learned, Constitution Hall is the only auditorium in the city where the appearance of a colored artist is barred.

PATRONS BARRED, BUT ATTRACTIONS ARE O. K.

The theaters — legitimate and movie—maintain a rigid policy of barring the attendance of colored persons as patrons, but draw no color line against colored attractions.

The National Theater, the only legitimate playhouse in the city, presented "The Green Pastures," Marc Connelly's Pulitzer prize-winning play, for two weks in February, 1933.

It is true the theater did not drop its color ban so far as patrons were concerned, but through an arrangement with the Elks a special performance was given on Sunday evening, February 26, under the auspices of the educational department of that organization.

The exclusion of colored patrons during the two-week engagement and the special show for the benefit of the Elks were bitterly criticized. Later, when Ethel Waters came here with a Broadway production the color bar was dropped and colored patrons bought and occupied seats all over the house.

BIG CHAIN HOUSES FOLLOW THE STYLE

The same thing was true with respect to the engagement of "Porgy and Bess." There was no color discrimination among patrons. The theater continued the policy for a week or two following his engagement in March, 1936 but discontinued it without any explanation and reverted to its normal policy of excluding colored patrons as hundreds of letters pro and con apepared in a daily paper.

Not even the Loews' Capitol, RKO's Keith, or the Warner Brothers' Earle will admit colored theatergoers, but all of them play the ranking colored bands and some acts, although some bands and some acts have had trouble about costumes, the theater insisting on their wearing overalls and bandannas to please their patrons from the deep South.

The rule barring colored artists from Constitution Hall has not always been in effect. Both Roland Hayes and Paul Robeson have sung there.

MRS. ROBERTS SAYS "RULE" ADOPTED 12 YEARS AGO

Though she never specifically said what the "rule" was, Mrs. Roberts declared it was adopted 12 years ago "as a result of actual experience." When the Daughters of the American Revolution had attempted to go "contrary to conditions existing here," she said, and were widely criticized for not conforming with local customs, the rule was made because "experience showed the society could not go contrary to or further than the customs existing in the city in which its properties were located."

The truth is the exclusion rule grew out of a concert by Roland Hayes in Constitution Hall. The concert bureau under whose auspices he was to appear at first refused to sell orchestra seats to colored persons.

A vigorous protest was made. When the controversy was brought to the attention of Mr. Hayes, the tenor refused to carry out his contract unless he was given assurance that there would be no segregaion at his concert.

NO SEGREGATION, BUT IT WAS THE LAST TIME

The controversy was a matter with which the Daughters of the American Revolution had nothing to do. It was between the community and the concert bureau with whom Mr. Hayes was under contract.

There was no segregation at that concert, but neither he nor any other outstandng colored artist has since appeared in Constitution Hall.

A letter from Charles H. Houston, attorney for the Marian Anderson Citizens' Committee, which waged the fight for a suitable place for Miss Anderson to sing here on East Sunday, requesting reconsideration by the society of the rule in question and use of the hall by Miss Anderson for a concert at some future date, will be laid before the board at its meeting on Saturday.

NO MENTION MADE OF 'FIRST LADY'S' RESIGNATION

The only reference on the floor of the convention to Mrs. Eleanor Roosevelt, who resigned from the D.A.R. because of its ban on Miss Anderson, was in the report of the program chairman, Mrs. G. W. S. Musgrave, who said: "Through the courtesy of Mrs. Roosevelt the customary White House reception will be held on Friday afternoon."

There was no mention of Mrs. Roosevelt's resignation in the reports of various national officers as well as in the report of the President General.

Camouflaging Prejudice

American race prejudice which never takes a holiday or seeks surcease from its vicious pursuits made a bold appearance at Glenn Dale Tuberculosis Sanitarium, recently. Then, as if ashamed of its own hideous form and mien, it tried to hide itself.

Sixty white women rushed forth to deny its presence and to aid in the camouflage.

Their puerile efforts were in vain. For the intelligent Negro in any walk of life is so thoroughly familiar with the great American pastime, camouflaging prejudice, that his eye pierces the most skillful attempt at deception. In this instance there was no display of skill.

Prejudice was plainly written into the letter protesting the coming of colored nurses. The flimsy reasons offered for the protest served only to make the underlying prejudice more apparent.

No person of either race in full possession of his mental faculties can honestly believe that sixty white nurses oppose working in the same hospital with colored nurses because there are "no suitable quarters" for the colored women. If this reason was intended to appear altruistic, its very source damns it.

Any concern as to quarters for the colored nurses is rather based upon the fear that they will be given equal accommodations with the whites. "No suitable quarters," as used by the protesting nurses, really means "no inferior quarters" to which Negroes can be assigned.

Another objection is the necessary transfer of eleven nurses to Gallinger. Only if this entailed reduction in rank or salary could it be considered valid. Thousands of employees are being transferred from one agency to another under the federal plan of reorganization and no complaint is heard.

Willing to wait upon colored men women, and children, all victims of the dread white plague, but unwilling to be associated at the same time with sixteen healthy colored women equally trained, the white nurses at Glenn Dale have taken a position which is ludicrously absurd.

You Can't Tell On Sunday What These Girls May Do On Monday

Washington Daughters of American Revolution Change Face, Present Colored Girl Scout Camp with Large American Flag—Preach about Democracy.

By WILLIAM FORSYTHE Jr

WASHINGTON, July 20—Representatives of the District of Columbia Daughters of the American Revolution, the same Negro-baiting unit that perpetrated the deplorable Marian Anderson incident of early spring made a weak and hypocritical "face-savings" gesture toward the colored race when they presented a huge American flag to the colored Girl Scouts camp, located on the outskirts of the District.

Miss Lillian Chenoweth, State Regent of the District of Columbia Daughters of the American Revolution made the presentation speech in which she made the paradoxical statement that, "our country is quite safe as long as we have music." More so because it was here, the organization which she represents, that barred Marian Anderson from appearing in their Constitution Hall in Washington for the memorable Easter Sunday program that was held at the base of the Lincoln Memorial.

State Chairman of the Committee on Correct Use of the Flag of the D. C. chapter of the Daughters of the American Revolution, Mrs. William D. Leetch, also delivered a sugar-coated dissertation on the importance of correct usage of the flag, its origin and history and the benefits derived from living in this "land of the free and home of the brave."

Approximately three score young colored girls and children were gathered around for the campfire ceremonies at which time the presentation of the flag was made. The site was Camp Pinecrest, a day camp, located in a beautiful wooded sector of the D. C. suburbs and is operated by the Girl Scouts organization. Miss Julia Davies is camp chairman, and Miss Alice Hill is camp director. The presentation of the flag was made to Miss Hill by Miss Chenoweth. Mrs. Grace G. Parr of the Washington Council of Social Agencies and Miss Dorothy Davidson, director of the District of Columbia Girl Scouts were also at the presentation ceremonies.

Ironically enough the Negro national anthem, "Lift Every Voice and Sing" the same song that Marian Anderson led the audience in singing in Richmond's Mosque on June 2nd was sung by the group immediately after the actual presentation of the flag.

NEGROES DINE IN U. S. CAPITOL FOR FIRST TIME

WASHINGTON, D. C., Jan. (ANP)—Last Friday night, for the first time in history, a group of prominent Negroes dined in the Nation's Capitol building when they attended a banquet served in the private dining room of the speaker of the house of representatives and were guests of several congressmen who have fought steadfastly on the floor of the house for social legislation for Negroes and wage increases for low paid government employees.

The solons who made the historic dinner possible permitted its arrangement under auspices of the Elks' Civil Liberties league, headed by J. Finley Wilson grand exalted ruler, and Edgar G. Brown, District Director of theris, Civil Liberties, D. C. Elks, and president United Government Employes, who acted as toastmaster.

Representatives who fronted the fight at the last session of congress for the anti-lynch bill, wage increases and other legislation favorable to Negroes and who attended Friday's banquet, were Congressmen McKeough, Chicago, Gavagan, New York City, O'Neal, Louisville, Sweeney, O., Dingell, Detroit, and Snyder, Uniontown, Pa. All of the congressmen spoke, as did Mrs. Elizabeth McDuffie, treasurer, UGE, and Dr. William J. Thompkins, Recorder of Deeds, D. C. J. Finley Wilson delivered an eloquent response to the after-dinner speeches. Many nationally known Negro leaders were present.

Actors Can't "Dress Up" in D. C. White Theatre

Performers Told Southerners Won't Stand for Colored in Evening Attire

SEE PHOTO ON PAGE 2

WASHINGTON

Because the management of the Earl Theatre, leading vaudeville and motion picture house here, contended that white Southerners would not stand for a colored girl in an evening gown, Miss Zerita Stepteau quit the playhouse rather than appear as a pickaninny.

Miss Stepteau, a native of Baltimore and the daughter of a former leading A.M.E. cleric, was a member of the act of Bud Harris, internationally-known comic, who recently returned from a European tour.

After her first number, she was advised to change her evening gown for a plain type of house dress, because the Southern legislators who patronize the house would not stand for a colored performer to be dressed up.

Leon Cephus, also of Baltimore and well known in Broadway circles as a dancer, was forced to take off his white tuxedo coat.

Lowell Howell, a tenor with the act, not only had to doff his white tie and tails, but had to change his repertoire from sentimental ballads to "Old Man River."

Cab Treated Same

Other noted colored acts have been treated similarly by the Washington house, it was learned.

Avis Andrews, Minto Cato, Cab Calloway, and many others were not permitted to dress up while playing Washington and ordered to affect bandanna attire.

Company Quits

Harris and his company refused to work under the circumstances and returned to New York because the changes demanded spoiled their act.

Says White Theatre Patrons Resented "Dressed Up Acts"

Bud Harris and Troupers Vacate District Theatre

WASHINGTON, D. C., (ANP)—Miss Zerita Stepteau, comedienne-pianist and partner of Bud Harris, famous comedy star recently returned from Europe, last week told of an alleged insult offered her and fellow members of the Bud Harris act recently by the management of the Earl Theatre, leading vaudeville and motion picture house here, when the actors were told to put on street clothes because white Southerners don't like "dressed-up colored acts."

Rather than submit to the insult, Harris and members of the act closed and returned to New York City.

Miss Stepteau, a native of Baltimore, is a graduate of Howard University and for three years her father pastored at one of Washington's leading AME churches. Relating their experience at the Earl Theatre after the opening performance, she said:

ADVISED BY MANAGER

"As is the usual procedure after all opening shows, the owner of each act was being given suggestions and criticisms by the management. In this instance, Bud Harris, owner of our act, was told that the dancer, Leon Cephas, would have to dance in a street suit and not in the proper white coat and trousers, as he had done.

Our vocalist, Lowell Howell, whose rendition of modern sweet numbers has brought praise from the most severe critics, would have to wear a street suit and substitute something 'more Negroid' in place of 'Martha.'

"And poor me! It so happened that a rather showy evening gown just couldn't be swallowed, because, said the management; Patrons resent a girl wearing evening dresses and in fact they just don't like dressed-up colored acts. By way of consolation I was told I should not feel badly because such celebrities of my race as Minto Cato, Cab Calloway, Avis Andrews and others have suffered the same indignities when appearing in the city. But my curiosity urged me to unearth the real cause and the complainants.

"It finally led to the type of audiences before which we performed, and Heaven help me, they seem largely composed of senatorial and congresisonal members and the higher strata of Washington social life. The Earl Theatre management told us the objections came from his patrons and those mentioned are in the majority.

"Just a few days ago I heard our honorable President, while making a speech, stress the importance of preserving the foundation of our democracy. It seems to me that of all places, democracy should exist in the capital of these United States, where the Constitution which is the American citizen's political Bible, finds its resting place. A democracy which puts lighter-skinned races before its own native-born—simply because some of the latter were created with just as beautiful, but darker skins—in my estimation is no democracy at all."

Deny Library Service to Attys.

WASHINGTON, Feb. 2--(ANP)—Because the District Bar association does not permit Negro lawyers to use its law library, Atty. Huver D. Brown began suit last week to compel the association to give up its library located in the courthouse. Associated with Brown in the case is Atty. James G. Tyson.

According to Atty. Brown, the $852,000 courthouse building was erected for government purposes and public use. The bar association, he sets forth, is a private corporation and limits its library to members only. The attorney says he can prove he and other Negro lawyers have been excluded from the library.

Ignores Protest; Board Votes to Keep Singer Out

Washington, D. C., Feb. 6—Despite the protest of famous persons in the world of music, including stars of the Metropolitan opera, and a strong telegram from the National Association for the Advancement of Colored People, the Daughters of the American Revolution voted to uphold its ban against the appearance of Marian Anderson in a concert which was to have been held at Constitution Hall here April 9th.

Board Acts

The action of the D. A. R. was taken by its board of directors at a meeting here Thursday. It followed on the heels of strong protests from Lawrence Tibbett and Kirsten Flagstad, stars of the Metropolitan opera; Leopold Stokowski, former director of the Philadelphia Symphony Orchestra, and Walter Damrosch, famous composer and musician, of New York.

In a telegram to the D. A. R., sent January 21, Walter White, secretary of the N. A. A. C. P., said:

"May we respectfully urge revocation of the ban on other than white artists appearing in Constitution Hall. Specifically, the refusal to permit Marian Anderson, distinguished Negro contralto, to sing here in April has shocked musicians, music lovers and fair-minded Americans generally. Barring a world-famed artist because of color from a building named by the Daughters of the American Revolution, 'Constitution Hall' violates the very spirit and purpose of the immortal document after which the hall is named."

N. A. A. C. P. attorneys are considering filing a petition to have the tax exempt ruling on the hall rescinded. The valuation on the ground is $585,254 and on improvements, $2,048,000.

Washington, D. C. Post
February 21, 1939

La Roe Urges Ban On Colored Singer Be Reconsidered

Wilbur LaRoe, jr., chairman of the Civic Affairs Committee of the Washington Federation of Churches and member of the Parole Board, asked the Board of Education in a letter last night to "reconsider" its refusal to allow Marian Anderson, colored contralto, to sing at Central High School Auditorium.

LaRoe said a "decidedly sick feeling" came over him when he read of the board's action. He said, "It is nothing less than tragic to have her barred from Washington."

"At this critical time in the history of the world," he added, "it is unspeakably shameful to have the Capital City of this great Nation placed in the absurd position of discriminating against a great artist because of her color."

PROTEST BARRING OF MARIAN ANDERSON

Huge Demonstration Organized Against Action of District of Columbia Body for Denying Use of High School Auditorium.

WASHINGTON, Feb. 23—Picketing of the Board of Education, a procedure which has not been used in 18 years, was organized last Sunday by the Marian Anderson Protest Committee, which met at the Twelfth street branch Y. M. C. A., to take action on the recent refusal of the board to permit the use of the Central High school auditorium for a concert by Miss Anderson under auspices of the Howard University school of music.

Representatives of 24 organizations, national and local, organized a steering committee, with Dr. Charles H. Houston, former member of the Board of Education, and counsel of the National Association for the Advancement of Colored people.

The committee formulated the plans for picketing the board and for carrying on a door-to-door canvass for picketers and for signatures to a protest petition. Plans were made also for a public mass meeting.

OFFICERS NAMED TO CONDUCT CAMPAIGN

Mrs. Bertha Blair, of the League for Peace and Democracy, was named vice president of the protest organization; John Lovell, Howard University instructor, secretary; James E. Scott, head of the Kappa Alpha Psi national fraternity, treasurer.

Houston explained that colored citizens could find no hall available to hold the many music lovers who desired to hear Miss Anderson, and that Constitution Hall had been denied promoters of the Anderson concert by the Daughters of the American Revolution.

"Constitution Hall is tax exempt," said Dr. Houston. "The question as to whether citizens can be barred from its proper use is one that will be taken up at a later date.

"This movement, at present, will confine itself to how far colored people can be prevented from using public school facilities. Dr. Ballou has stated that action refusing the hall to Miss Anderson was based on the dual system of education here. But that system, in the past, has been dual only so far as school administration and the housing of pupils is concerned, and the question of use of the building by the public, who are not in or part of the school system, has never before been raised. Board of Education will be asked to reconsider and rescind its action in refusing the use of the high school auditorium."

PROTEST PETITION WAS SIGNED BY 300

A petition, signed by more than 300 persons present, and sent back through them to their various organizations for signatures, read as follows:

"We . . . emphatically protest the recent action of the Superintendent of Schools, Dr. F. W. Ballou, and the Board of Education of the District of Columbia, in refusing the use of the Central High school auditorium for the recital of Miss Marian Anderson.

"We regard such action, on part of the board, as contrary to the spirit of democracy, and as a backward step in development of interracial goodwill in the District of Columbia..

"We regard this as a backward step, because, on many occasions in the past, the public school auditoriums have been open to both races when matters of common interest have been presented to the public. Hence, we can find no justification for the board shutting the doors of the schools in the face of an artist of world renown because of the separate school system."

HAMILTON LADUED; WILSON CONDEMNED

"Therefore, we, the undersigned, request that within two weeks, either at its regular meeting or at a special meeting called for this purpose, the board reconsider and reverse its action."

A letter of appreciation for his action in this matter, as a member of the Board of Education, was directed to be sent to Col. West A. Hamilton, and a letter of censure and condemnation was directed sent to John H. Wilson, colored member of the board, who left its sessions before a vote was taken in the Anderson case.

D. C. School Serves White Faculty Members Different Food Than Served Negroes

Probe of Activities of Superintendent Shows Sex Orgies Permitted by Mixed Groups

Official Says Immorality Expected

WASHINGTON.—(ANP)—Negro staff members of the National Training School for Girls, a correctional institution of this city, were compelled to eat food different from that served white members of the staff at the school according to charges leveled at Dr. Carrie Weaver Smith, former head of the institution, at a hearing now being conducted on her removal.

Bluntly revealing sordid details, officials of the school declared that Dr. Smith had failed to give them support in attempts to compel inmates to submit to treatment for venereal diseases, that she had permitted girls, when infected with disease, to make overnight visits away from the institution and that she had compelled colored staff employees to eat the same food and use the same dishes as those provided for the inmates.

Inmates of the institution, white and colored girls, have separate accommodations, but stories persist in finding their way to the outside of sexual orgies perpetrated by mixed white and colored groups, which resulted in a general shake-up at the institution.

Dr. Smith was removed and has waged a stiff fight ever since then to have the charges against her brought to the attention of the public. At the hearing which got under way here Monday, Dr. Marjorie Shaw Stuart, attending physician at the school, stated that about 80 per cent of the girls were suffering from gonorrhea and that about 25 per cent or more had syphilis.

Dr. Stuart further said that when she protested to Dr. Smith about immoral practices among the girls, Dr. Smith had said to her that the girls were not leading normal lives and that immorality was to be expected.

Twelve cases of pregnancy had come to Dr. Stuart's attention during her tenure at the school and all 12 of the girls had become mothers. She said that all of these had become pregnant either while on "escape" or on visits they had been permitted to make away from the institution.

Another witness who was a nurse at the school from 1934 to 1937 testified that there "was quite a bit of immorality" at the school during the period of Dr. Smith's incumbency. She also testified that she had treated a number of the girls for razor blade cuts and in some instances she had found other girls' initials carved on some of the girls.

The investigation is being conducted by the District Commissioners and will be a thorough expose of methods and treatment of inmates at the Training School,

Aryan Superiority Philosophy Ruled Nazi 'Prof' At Howard

Charge Made that Prof. Lipps from Cologne Was Overbearing, Disdainful of Colored Associates and Resentful of Jews.

WASHINGTON, Aug. 10—(ANP)—Howard University should thank its guardian angel, if it has one, that Prof. Julius Lipps, former professor of anthropology, is no longer identified with that institution, if the stories now being told about Herr Professor have an iota of truth in them.

Dr. Lipps, former lecturer in anthropology at the University of Cologne in Germany, came to Howard as a visiting professor at the instigation of a very wealthy member of the board of trustees and was almost foisted upon the school. He had to be accepted, and his previous history was not investigated. The fact that he was a lecturer at Cologne sufficed to place him in Howard, according to a source close to the administration at the university.

Of an overbearing Teutonic nature, Dr. Lipps enjoyed one of the briefest, though stormiest and most turbulent careers any university professor has to his credit.

At first, he was assigned to the university for one year, the school paying $2,000 of his salary, the balance being paid by a foundation.

CONTEMPT FOR HIS ASSOCIATES

During his first semester at the school, most of the Negro professors attempted to be friendly with Dr. Lipps, but his overbearing Germanic attitude, which indicated that he had nothing but contempt for his associates, soon alienated those who had been somewhat friendly toward him.

And this attitude was continued even in the classroom and the department which Dr. Lipps himself set up, the department of anthropology. According to the best information, there was never such a department at the university . . . it was a figment of Dr. Lipps' own creation. The ruling on such matters, according to our informant, is that the faculty must first vote the neecssity for such a department, pass their resolution on to the board of trustees, which in turn usually adopts the findings of the faculty. This was never done at Howard and Dr. Lipps own department, was really his own creation, and he was the sole instructor.

Later conflicts with professors began to crop up and when he was taken on for the second year, instructors who had been in the school for years felt that this was getting to be too much.

It was reported off hand that besides being contemptuous of his students and fellow workers, Dr. Lipps was decidedly anti-Semitic and had little time for visitors who were of Semitic origin.

Dr. Lipps further sought to lord it over his co-workers in every possible instance, and has told friends that he plans to write a book on the Negro from his two years' observations at Howard university.

TAKES SLAP AT RACE

But the crowning insult came, it is alleged, when a friend of Dr. Lipps' asked him if he were returning to the university as professor of anthropology.

"No," the professor is alleged to have replied, "I have resigned. No self-respecting white man would teach at a Negro university."

Continues Fight Against Jim Crow Library In Government Building

WASHINGTON, D. C., Oct. 20—Getting no satisfaction from the lower courts or the United States Attorney General's office concerning the right of a white bar association to maintain a jim-crow library in a government-owned court building, Huver I. Brown will appeal his injunction suit against the parties involved, he made known this week.

Mr. Brown, a local lawyer, who filed a petition enjoining the District of Columbia Bar Association, white, from operating the library, lost his case in a decision by Justice Jennings Bailey last week upholding the motion to dismiss the case by the defendants.

Besides the white lawyers, Mr. Brown named Attorney General Frank Murphy, Chief Justice Alfred Wheat, and U. S. Marshall Colpoys, under whose jurisdiction the court property comes.

Justice Bailey did not give his opinion on the case. He merely upheld the motion to dismiss, which cited the following grounds: that the plaintiff did not have sufficient interest to bring the suit; that he did not claim any right to the space occupied by the library; that the court will not disturb executive officers of the government in matters under their control; that the suit is one against the United States; and that there was no unfair competition.

The plaintiff, through his counsel, James C. Tyson, maintained that the white bar association is a private corporation carrying on business in a public building; and that since, by its own rules, it denies membership to Race lawyers, it enjoyed unfair competition by keeping Race lawyers and other tax-paying citizens from the use of the government building space.

He also contended that the association operated the library without permission of the attorney general, under whose jurisdiction the court building comes.

Records dating back to 1900 in the office of the attorney general do not include any information on the library's establishment in the building, Mr. Tyson was informed in a letter from Thomas D. Quinn, who is assistant to Attorney General Murphy.

Since the white bar association was organized in 1920, Tyson says, he is of the opinion that it has never been given permission by the attorney general's office to set up the library in the court building.

D. C. WHITE CADETS VIEW ARMY SHOW; NEGROES BARRED

WASHINGTON, Nov. 2. (ANP)—"A private showing only" could easily have been the sign on the Central high school stadium here Tuesday afternoon at two o'clock when the U.S. Army put on a demonstration of modern military methods for the benefit of the white cadets.

The unit from Fort Meade, used some of the latest equipment in making this display for the cadets, showing the most intricate maneuvers.

Negro instructors of military tactics at the three Negro high schools with cadet corps, Dunbar, Armstrong and Cardozo, were not invited to participate nor were the colored cadets invited.

When brought to the attention of the board of education, the excuse was made that Col. Craigie, white instructor in things military for Districts 1 to 9 in the school system, had made the arrangements with the officials at Camp Meade and that Col. Atwood, colored military instructor in charge of Divisions 10-13, the Negro grouping in the school system had no inkling of what was transpiring.

This is the second time that the Negro cadets and their instructors have been ignored in such things, for on a previous occasion a demonstration at Fort Meade was held for the benefit of the white teachers and no invitation extended the Negroes to participate.

Whether or not a separate demonstration will be given the Negro cadets is uncertain.

Find Theatre Jim Crow In Capitol Worse Than South

WASHINGTON BUREAU
ASSOCIATED NEGRO PRESS

WASHINGTON—In this city o believe it or not contrasts, th plight of the Negro is patheti when a situation existing is analyzed; here where the Negro receive the best salaries, where the teachers are the best paid in the country; where there are more cultured Negroes than any other spot in the country, if he wants entertainment he must go to theatres catering only to Negroes. Yet these same theaters catering to Negroes, will advertise for white trade and patronage in the bigger dailies.

Let a Negro show his face at one of the downtown houses to see ither a movie which will not be shown uptown in his theatres, or to witness a performance by some stage star. If he isn't thrown out on his ear, he will be insulted to such an extent that he will almost want to fight unless he is so light, or can speak some language other than English and pretend to be another nationality.

When your Washingtonian wants to see a drama, comedy or musical show, he takes the train and goes to New York! When he wants to see some picture which is having a grand run, he does the same thing.

Even in the deepest South, Negroes are given certain sections o the theater to see road shows and the better type pictures, but no in Washington, the nation's capital.

Segregation as practiced here is in its most rabid form and gracefully accepted by the inhabitants who seek no redress from a situation they all talk about but do not act upon.

DISCRIMINATION - 1939

D.C.

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ANP Correspondent Sees Need of Citizens Having Right to Vote to Cure Many Social Evils

Washington Bureau, Associated Negro Press

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Globe

11-3-39

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Racial Ban Still In Effect

Journal & Guide
Norfolk, Va.

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12-2-39

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Dr. Stokes appeared before the D. A. R. officials last spring with Mrs. Gifford Pinchot, wife of the former Pennsylvania governor; Bertha Blair, Railroad Retirement Board employe; the Rev. Robert W. Brooks, pastor of Lincoln Temple Congregational Church and president of the District Interracial Committee; John P. Davis, secretary of the National Negro Congress; Dr. C. Herbert Marshall, president of the local branch of the National Association for the Advancement of Colored People; James Nabrit, secretary of Howard University, and Doxey Wilkerson, associate professor of education at Howard.

Journal & Guide

In making public his arguments, Dr. Stokes said that the committee felt "only good could be accomplished by thoughtful consideration of the points presented."

ART AND THE COLOR LINE

ACCORDING TO AN announcement from the Marian Anderson Committee of 61 F Street, N. W., Washington, D. C., the Daughters of the American Revolution, at their meeting in October, again refused the use of Constitution Hall for Miss Anderson's Washington concert this season. The statement given out by the group controlling the hall said:

Age

"In view of the fact that the many conditions affecting the actino of last spring remain the same, the decision of the Board must remain the same — that is, that the Society does not feel that it can reopen at this time the question of permitting Miss Marian Anderson to sing in Constitution Hall. We are also informed that in the judgement of the Executive Committee and the National Board of Management, the standing or artistic ability of any artist is in no way involved, which of course implies that the refusal to permit Miss Anderson to sing in the Hall is not due to any question as to her standing as a musician, but to the fact that she is colored and the existing rules of the Society permit only white artists to sing at pay concerts in Constitution Hall."

12-2-39

New York

Dr. Anson Phelps Stokes, canon of Washington Cathedral and former secretary of Yale Universtiy, on behalf of the Marian Anderson Citizen's Committee, presented arguments before the President General and other officers of the Daughters of the American Revolution, at its meeting on May 31, 1939, setting forth several logical reasons why the policy of this organization should be changed. At the outset of his argument, he pointed out that among the special objectives of the Daughters of the American Revolution, as set forth in the Act of Incorporation, are "to cherish, maintain and extend the institutions of Americtn freedom to foster true patriotism and love of country, and to aid in securing for mankind all the blessings of liberty."

Replying to the argument that allowing the use of Constitution Hall for such a concert was contrary to accepted custom, he cited that several instances of inter-racial audiences and Negro participation in cultural events — recitals by Paul Robeson and Roland Hayes in the large Washington Auditorium, which having been taken over for government offices, is no longer available; and the concert by the Hampton Choir under leadership of Dr. R. Nathaniel Dett in the Library of Congress in 1926.

Dr. Stokes also quoted from newspapers and from many distinguished citizens to prove that the policy of the Daughters of the American Revolution was flouting public opinion in persisting in its attitude. Many of these quotations were from Southern white newspapers. Dr. Stokes concluded his argument by pointing out that there is no legal issue involved, and urged that the such organizations as the Daughters of the 14th Amend-American Revolution leading the fight to which stands for keep the Negro in his place."

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We agree with Secretary Ickes when he said that art knows no color line and that the barring of Miss Anderson by this organization on its democratic ideals. Racial prejudice dies hard, but it seems to us that in the nation's capital, at least, there should be set an example of tol-

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"We hope that quiet and earnest reconsideration of the issues raised last spring may result in reconsidering the rule we have been discussing, so your board may return to the rule it originally followed, which barred the representative of no group from programs but merely required 'that all events should be of dignity and refinement and not in contradiction to the ideals of our society.'"

12-2-39

Dr. Stokes appeared before the D. A. R. officials last spring with Mrs. Gifford Pinchot, wife of the former Pennsylvania governor; Bertha Blair, Railroad Retirement Board employe; the Rev. Robert W. Brooks, pastor of Lincoln Temple Congregational Church and president of the District Interracial Committee; John P. Davis, secretary of the National Negro Congress; Dr. C. Herbert Marshall, president of the local branch of the National Association for the Advancement of Colored People; James Nabrit, secretary of Howard University, and Doxey Wilkerson, associate professor of education at Howard.

Journal + Guide

In making public his arguments, Dr. Stokes said that the committee felt "only good could be accomplished by thoughtful consideration of the points presented."

ART AND THE COLOR LINE

ACCORDING TO AN announcement from the Marian Anderson Committee of 61 F Street, N. W., Washington, D. C., the Daughters of the American Revolution, at their meeting in October, again refused the use of Constitution Hall for Miss Anderson's Washington concert this season. The statement given out by the group controlling the hall said:

Afro

"In view of the fact that the many conditions affecting the actino of last spring remain the same, the decision of the Board must remain the same — that is, that the Society does not feel that it can reopen at this time the question of permitting Miss Marian Anderson to sing in Constitution Hall. We are also informed that in the judgement of the Executive Committee and the National Board of Management, the standing or artistic ability of any artist is in no way involved, which of course implies that the refusal to permit Miss Anderson to sing in the Hall is not due to any question as to her standing as a musician, but to the fact that she is colored and the existing rules of the Society permit only white artists to sing at pay concerts in Constitution Hall."

12-2-39

New York Times

Dr. Anson Phelps Stokes, canon of Washington Cathedral and former secretary of Yale Universtiy, on behalf of the Marian Anderson Citizen's Committee, presented arguments before the President General and other officers of the Daughters of the American Revolution, at its meeting on May 31, 1939, setting forth several logical reasons why the policy of this organization should be changed. At the outset of his argument, he pointed out that among the special objectives of the Daughters of the American Revolution, as set forth in the Act of Incorporation, are "to cherish, maintain and extend the institutions of Americtn freedom to foster true patriotism and love of country, and to aid in securing for mankind all the blessings of liberty."

Replying to the argument that allowing the use of Constitution Hall for such a concert was contrary to accepted custom, he cited that several instances of inter-racial audiences and Negro participation in cultural events — recitals by Paul Robeson and

ng out that there is no erance for the rest of the world, instead of
, and urged that the such organizations as the Daughters of the
spirit of the 14th Amend- American Revolution leading the fight to
tution, which stands for keep the Negro in his place."
Abraham Lincoln lived
and died.

Secretary Ickes when he
s no color line and that
Anderson by this organ-
reflection on its demo-
l prejudice dies hard, but
in the nation's capital, at
e set an example of tol-

Roland Hayes in the large Washington Auditorium, which having been taken over for
government offices, is no longer available;
and the concert by the Hampton Choir under leadership of Dr. R. Nathaniel Dett in
the Library of Congress in 1926.

Dr. Stokes also quoted from newspapers and from many distinguished citizens to prove that the policy of the Daughters of the American Revolution was flouting public opinion in persisting in its attitude. Many of these quotations were from Southern white newspapers. Dr. Stokes concluded his

DISCRIMINATION- 1939

D.C.
MISS MARAIN ANDERSON AND THE D.A.R.

Miss Anderson Thrills 75,000; Secretary Ickes Chides D.A.R.

WASHINGTON. —(A N P)—The capitol city's largest crowd turned out Sunday afternoon to hear the world's greatest contralto, Marian Anderson, in a free concert staged at the show spot of Washington. With Abraham Lincoln's statue as her background and the Washington monument looming in the distance, Miss Anderson sang from a small rostrum constructed for the purpose as 75,000 members of both races gave eager attention.

Arriving at the Lincoln memorial a few minutes before the concert was scheduled to be broadcast through a national hookup, Miss Anderson was led through the vast assemblage by Secretary Ickes, under whose sponsorship the concert was given after she had been denied use of Constitution hall, owned by the Daughters of the American Revolution, and Central high school auditorium.

Mr. Ickes himself introduced the noted singer, indirectly chiding the D.A.R. for refusing to let her use Constitution hall and praising the life and achievements of Lincoln. He said that 130 years ago the Great Emancipator to whom the memorial was erected was sent "that we might restore freedom to those from whom we had taken it," and after pointing to the nearby memorial to Thomas Jefferson traced the influence of Jefferson's doctrines upon the actions of Lincoln.

"In our time too many pay lip service to these doctrines of Jefferson," the secretary said. "There are those, even in this great capitol of our democratic republic, who are either too timid or too indifferent to lift up the light that Lincoln and Jefferson carried aloft."

Notables of both races covered the guest stand, among them Supreme Court Justice Hugo Black of Alabama, Secretary Morgenthau and several members of Congress. Neither Mrs. Roosevelt, who resigned from the D.A.R. in the controversy over Miss Anderson, nor

Notables Attend Open Air Concert In Washington, D.C.

Supreme Court Justice Charles Evans Hughes was present. Vice-President John Garner, who is angling for the 1940 Democratic presidential nomination, and several other prominent New Dealers failed to come, although especially invited.

But the crowd paid little attention to any of this. The throng was there to hear a great singer, not to watch a parade of dignitaries. Miss Anderson's marvelous singing enthralled the listening thousands, and it was not until she had finished that they gave any indication of their feelings. A huge outburst of applause and cheering followed her encore. Then there was a grand rush for the contralto who had just completed a brief talk in which she admitted being "gratified" and "overwhelmed" and unable because of the terrific strain to make any kind of real speech. She wore a mink coat throughout the recital because of a chill wind.

SINGER CONGRATULATED

Members of the president's cabinet and Congress were first to reach and congratulate Miss Anderson after the concert. Slowly the vast throng dissipated after witnessing what is regarded as the greatest personal triumph any singer has ever scored in Washington.

The open air audience began assembling two hours before the recital started. White and colored vied for places nearest the rostrum By the time the program started, it was impossible to find a space close enough to hear without the aid of microphones, despite Miss Anderson's powerful voice.

Additional transportation service was furnished by the street car and bus lines and no difficulty was experienced in handling the crowd. Sunday night a reception was held for the singer at Howard university, attended by notables from Washington and nearby cities.

Sponsors of the concert included Secretary Ickes, Chief Justice Hughes, Naval Secretary Swanson, Sen. and Mrs. Borah, Attorney GGeneral Frank Murphy, Assistant Naval Secretary and Mrs. Charles Edison, Mayor and Mrs. Fiorellc LaGuardia of New York City, Sen. and Mrs. Charles McNary, Mrs. Eleanor Patterson, Sen. and Mrs. Bennett Champ Clark, Walter Damrosch, Katherine Hepburn, Dr. and Mrs. Ernest Gruening, Rep. Catherine O'Day of New York, Mrs. Henry Grattan Doyle, president of the local school board;

MARCH WIFE THERE

President and Mrs. Mordecai Johnson of Howard; Mr. and Mrs. Hill, secretary of the university; Dr. and Mrs. James Nabrit, Jr. Mr. and Mrs. Virginius Johnston, treasurer of the university; Dr. Fred Wilkerson, Mr. and Mrs. Walter Daniels, Dean West, Dean Banks, Dean and Mrs. Charles Thompson, Dean Wesley, Dean Yount, Dean Mays, Dean William Taylor of the law school; Dean Numa P. G. Adams of the medical school; Dean Dixon of the dental school; Dean Cooper of the pharmaceutical school; Miss Naomi Childers of the department of education;

Fredric March and his wife, Florence Eldridge, now starring in the hit show, "The American Way;" Rep. Kent E. Keller, Assistant War Secretary Louis Johnson, Mr. and Mrs. Charles Edward Russell, the Rev. Anson Phelps Stokes, Sen. Arthur Capper, Sen. James J. Davis, Geraldine Farrar, former opera star of the Metropolitan, Mr. and Mrs. Nathan Straus, and Mrs. Mary McLeod Bethune.

D.A.R. Hears Committee On Anderson Ban Protest

WASHINGTON, June 30—Little, if any ground was covered in the D.A.R.-Marian Anderson controversy by the belated conference held with the president-general of the former and representatives of the Marian Anderson Citizens' Committee, it was learned from reliable sources this week.

The conference, promised two months ago when the D.A.R. held its annual convention here shortly following its refusal of Constitution Hall to the committee for a recital by the famous cotralto, was held during the last week of May, it was learned, with Mrs. Henry M. Robert Jr., president-general, the manager of the hall, and two other members of the D.A.R.

Attending from the citizens' committee were Dr. Herbert Marshall, newly elected president of the local branch of the N.A.A.C.P.; Canon Anson Phelps Stokes of the Washington cathedral, white; Rev. R. W. Brooks, pastor of Lincoln Temple Congregational church; James Nabritt, assistant to the president of Howard university; John P. Davis, executive secretary of the National Negro Congress; Doxey Wilkerson, president of the Howard university teachers' union; Miss Bertha Blair, white, officer of the committee; and Mrs. Gifford Pinchot, white, wife of the former governor of Pennsylvania.

Mrs. Robert was said to have greeted the group courteously, but to have promised them nothing except to report the case to the board of directors of the organization for decision. She requested a brief to be prepared for her, which is in the making by Canon Stokes.

Press reports on the conference have been withheld, it was explained by officers of the Marian Anderson Citizens' Committee awaiting a conference of the subcommittee handling the matter.

Charles H. Houston, attorney at law, chairman of the whole committee, was absent from the city during the conference and two weeks following; and since his return, has not had chance to call a conference, he said.

Meanwhile, doubt was expressed by those attending the conference that a victory would be forthcoming. Plans may have to be made to carry out the fight along different lines, it was said.

Meanwhile, a recommendation was made to the local branch of the N.A.A.C.P., at its meeting held last week, that consideration be given to entering suit against the D.A.R. to deprive that organizaion of its tax privileges. It is at present relieved of paying the regularly required real estate tax on Constitution Hall because of its supposedly public service to the city.

A study of the legal question involved has been made by Leon Ranson, lawyer, it was reported to N.A.A.C.P. in a communication from Walter White, secretary of the national body, who said that a friend of the organization, whose name was not given, has offered to pay all the expenses incurred by a legal suit against the D.A.R.

There is also talk of again requesting the use of the hall for a recital by Miss Anderson in the fall. It is believed htat in view of the unfavorable publicity connected with the last recital, which was given on the steps of the Lincoln Memorial, the hall may be granted without further friction.

There is no doubt that the Revolutionary Daughters' organization has felt keenly the publicity connected with the affair, John P Lovell Jr., secretary of the Marian Anderson's Citizens' Committee said this week.

Members of the D.A.R. who joined the citizens' committee to fight the prejudiced attitude of the body, made known the fact that hundreds of memberships were canceled by D.A.R. members who disapproved of the refusal of the hall. These resignations were not made public, the vsaid.

D.C.
MISS ANDERSON AND THE D.A.R.

Congressman Mitchell Tells D. A. R. President It's Time To Explain Attitude Towards Marion Anderson

WASHINGTON, D. C.—The Marian Anderson D.A.R. controversy flared anew here Wednesday when Congressman Arthur W. Mitchell of Chicago, eulogizing the late Senator James Hamilton Lewis, recommended that the D.A.R. adopt the tolerant attitude'' of the late Senator, and ''stop talking so much about Americanism and live the kind of life that will challenge the admiration of people who believe in virtue, honesty and patriotism."

Referring to the resignation of Mrs. Roosevelt and others from the organization because of the Marian Anderson controversy, Congressman Mitchell in a letter to Mrs. Henry M. Robert jr., president general of the D.A.R. said: ''It seems to me that an organization is getting in rather bad shape when the most distinguished and best meaning women in the country have to sever their connection from that organization because of its narrow view on racial matters.''

''It is difficult for me to understand the attitude of the D.A.R., especally so, in view of the fact that among the first four Americans who gave their lives for the independence of America was Crispus Attucks, a Negro who fell on State street in Boston at the very beginning of American hostilities under British rule,'' Mitchell wrote:

''Do you conscientiously think that your organization, pursuing the policy that it is pursuing with regard to minority groups, and especially the Negro, is making any contribution to the building of substantial American citizenship? Is it your idea that real patriotism should be colored and shaped by race prejudice?

''No wonder people of other countries cannot understand what we call Americanism. Men like the late Senator Lewis and the wonderful contribution made by them to building citizenship are the safest guarantees for the continuance of a great democracy in this country.

''I think it is high time that we stop talking so much about Americanism and live the kind of life that will challenge the admiration of people who believe in virtue, honesty and patriotism.

''I hope you have some sort of an explanation for all this hubbub which has been claiming the attention of the best thinking people of our nation regarding your conduct in the Marian Anderson affair.'

SECRETARY ICKES

TO SECRETARY OF the Interior Harold L. Ickes, one-time Republican and Bull Moose leader of Chicago. goes the credit for turning the Marian Anderson-D. A. R.. incident into a victory for racial tolerance. Secretary Ickes not only settled the controversy by granting permission to Howard University to present Miss Anderson in an open air recital and gave the use of the Lincoln Memorial for this purpose, but he went further and himslf introduced the famous singer in words that wiped out all doubt as to where he stands on the question of race and equality before the law. Said Mr.. Ickes:

"...In our time too many pay mere lip service to these twin planets in our democratic heaven. There are those even in this great capital of our democratic republic, who are either too timid or too indifferent to lift up the light that Jefferson and Lincoln carried aloft.

"Genius, like justice is blind.. .For genius has touched with the tip of her wing this woman who, if it had not been for the great heart of Lincoln, would not be able to stand among us today a free individual in a free land. Genius draws no color line. She has endowed Marian Anderson with such a voice as lifts any individual above his fellows, as is a matter of exultant pride to any race. And so it is fitting that Marian Anderson should raise her voice in tribute to the noble Lincoln. whom mankind will ever honor."

The concert was not without its political significance, moreover, as Drew Pearson and Robert S.. Allen in their "Washington Merry-Round" column in the Daily Mirror observed. Writing that the capital was split over the recital, the columnists said:

"The concert of Marian Anderson, Negro contralto, on the steps of the Lincoln Memorial was a tough break for several Presidential hopefuls. 'To go or not to go,' that was the question; and Harold Ickes, who had invited the singer to use the Lincoln Memorial, had no compunctions whatsoever about giving them the choice.

"Among those who received an invitation to sponsor the concert was James A. Farley, a Presidential candidate. Jim ignored the telegram.

"Another who received an invitation was John Nance Garner, most active of Presidential candidates. Ickes sent Garner one wire asking him to sponsor the concert. Getting no reply and fearing it had gone astray, Ickes sent another. Still Garner did not answer.

"Another Presidential candidate asked to be a sponsor was young Senator Robert P. Taft of Ohio.. Taft did not reply at first. Then on the day Chief Justice Hughes announced he would be a sponsor, Taft wrote to Ickes that he would like to have two tickets."

"Note—The DAR's action in barring Marian Anderson from Constitution Hall probably was the best break the singer ever got."

The New York Age concurs with these columnists in their conclusions about the recital. But they did not go far enough. It was probably the best break Negroes have received in calling attention of the nation and the world to treatment accorded a minority group in these United States. In these days when so much is heard of ill-treatment of minority groups in different nations, it is fortunate, indeed, that attention was focussed on American democratic hypocrisy. And fortunately for the Negro, some of the Presidential hopefuls were put on the spot and shown in their true light.

Marian Anderson Ban Irks Mrs. Roosevelt

FIRST LADY RESIGNS FROM "D.A.R."

Makes Protest At Big Mass Meeting

Atlanta World
Atlanta Ga. 2-28-39

WASHINGTON—(SNS)—Mrs. Franklin D. Roosevelt announced Monday she has resigned from a major organization to which she had "belonged since coming to Washington."

Although the First Lady reportedly refused steadfastly to name the organization when questioned at her press conference, by inference, it was indicated to be the Daughters of the American Revolution.

Her resignation to the organization was believed to be a protest because the D. A. R. barred Marian Anderson, the contralto, from performing in Constitution Hall here.

MAKES PROTEST

Mrs. Roosevelt, in announcing her action at her press conference, referred pointedly to her protest over the decision of the District of Columbia Board of Education in banning a concert by Miss Anderson in the auditorium of Central High School.

This protest by the first lady was embodied in a telegram read to a mass of more than 1,500 persons held in Lincoln Memorial Congregational Church Sunday. The telegram read:

"I regret extremely that Washington is to be deprived of hearing Marian Anderson, a great artist."

The noteworthy stir over Miss Anderson's projected appearance in Washington was touched off several days ago when it was learned that the Daughters of the American Revolution, which owns Constitution Hall—the capital's only truly suitable auditorium for concert purposes—had forbidden use of the hall to her.

The first lady declined in her interview to say whether "lineage" was necessary to be a member of the organization. It was learned that all members of the D. A. R. required to be descended from American Revolutionists.



MRS. ROOSEVELT
(She Quits D.A.R.)

Miss Anderson Will Sing In "Open Air"

Atlanta World
Atlanta Ga. 2-28-39

NEW YORK—(SNS)—Marian Anderson, the internationally famous singer, who was barred by the Daughters of the American Revolution from using their tax-exempt Constitution Hall in Washington for a concert April 9, will sing in the nation's capital out in the open air, accord to a statement made today by her manager, S. Hurok.

In a telephone conversation from his home at 91 Central Park West, Hurok told the National Association for the Advancement of Colored People that Miss Anderson will keep her April 9 engagement in Washington, when she will sing "out in the open air in the park immediately in front of Constitution Hall."

"Miss Anderson will sing for the people of Washington, and there will be no charge," he went on, "because the concert will be held out in the open. Our only stage decoration will be two American flags."

Protests against the action taken by the D. A. R. in barring the artist from heir auditorium because of the race, and the subsequent banning of her by the District of Columbia School Board from Central high school (white) has assumed national proportions. Famous artists, writers, liberal organizations, and persons prominent in the civic life of Washington have registered vigorous indignation in telegrams, letters and resolutions, which have been sent both to the D. A. R. and to the Washington board of education.

Blatt to Schwab

June 4-3-39

Sirs:

May I have the pleasure of replying to the letter from a person named Schwab in the March 20 issue? Perhaps he is justified in his objection to Washington being typed "provincial." My only reaction as a one-time visitor was: "disappointing." His letter proves that all bigots do not live in small towns. . . .

I could say "thank God I am a Northerner." Instead, I merely state that it is indeed fortunate the educated Southern-American is not as narrow and intolerant as one Schwab. Apparently Washington has not buried all its intellectually dead—it lets them write letters!

C. R. BERRY

Rochester, N. Y.

Sirs:

Any one as allergic to Negro entertainment as Alvin R. Schwab [TIME, March 20] should move from Washington to the North Bay country. He must break out in hives when he hears Al Jolson sing *Mammy*. . . .

MORTON F. McKINNEY

Clarion, Pa.

June 4-3-39

Sirs:

Because the Daughters of the American Revolution recently denied the use of their Washington hall to Negro Singer Marian Anderson, and because of their consistently illiberal stand on political, economic and constitutional questions, we recommend that their name be changed to the Defenders of the American Reaction.

BILL SLAYTON
JOHN MILLER

University of Omaha,
Omaha, Neb.

▸ Marian Anderson still hopes to present a concert in Washington, D. C. If Central High School auditorium, only other suitable hall, remains unavailable, plans are to hold a free open-air concert on Easter Sunday in front of the Lincoln Memorial.—ED.

Charlotte N. C. Times
March 30, 1939

TEMPTEST IN THE TEA-POT

(The Uplift)

Marion Anderson, the Negro singer, would have no trouble in finding a place to give concert if she had been in the South, so to speak. The Southern people know how to meet such problems. There is a tacit understanding between the people of the South and the Negro race. They mingle together in a business way, in the fields, in the homes, in any commercial manner, and afterwards sit on the back-door steps, or in the office of the white man and discuss plans and there is never a suggestion of a social contact.

Frequently different clubs, or church organizations have a program of spirituals by the Negroes—and there is never a misunderstanding as to what to do or where to sit. The entire affair works itself out smoothly. In fact the Southern people like the Negroes, and the black race knows where to turn if trouble arises. The Negroes consider the white man their friend.

Why not give Marion Anderson a place in which to sing, if we go to see a Joe Louis knock out a white man? The general impression is that Marion Anderson has a marvelous voice. Many homes of the aristocracy were privileged to hear Blind Tom, the marvel of the time, play the piano in their homes.

Charleston S. C. News & Courier
April 5, 1939

Washington Nonsense

There is much nonsense about Marian Anderson, the colored woman who has a beautiful voice. The time never was when a colored person of uncommon talent could not find a hall in which to appear in Charleston, Greenville, Columbia and other towns of South Carolina. Nor was ever a time when Southern white people were not more than willing to see or hear a remarkable negro, man or woman, exhibit his, or her, talent. It will be observed that all this uproar about the woman singer began in Washington where the government lives and extended to Northern cities. In South Carolina white folk hear negro singers of "spirituals" and hear them with pleasure, occasionally on the thresholds of their homes. No self-respecting Southerner is indifferent to the sensibilities of negroes.

Washington, D. C. Post
March 31, 1939

Miss Anderson To Sing at Lincoln Shrine

Ickes Solves Dispute By Giving Memorial For Easter Concert

Marian Anderson will sing from the steps of the Lincoln Memorial at 5 p. m. Easter Sunday, Secretary of the Interior Ickes announced yesterday.

The bitter seven-week controversy over the colored contralto's concert, which has involved the D. A. R., District School Board, Congress and Mrs. Roosevelt, is not ended with Ickes' decision, however, it was indicated last night.

At the office of Representative McGranery (Democrat), of Pennsylvania, who has introduced a resolution calling for Congressional investigation of the school board's refusal of Central High School auditorium for the concert, it was stated that "we've got to make sure this sort of thing doesn't happen again."

Government's Answer

Charles Houston, chairman of the Marian Anderson Citizens Committee, said "Secretary Ickes' announcement is the Federal Government's answer to the reactionary position of the local government and th eD. A. R. But we will not call off our fight for revision of the school board rules."

Interior Department officials predicted that an audience of approximately 50,000 would hear Miss Anderson's half-hour concert, which is to be carried by amplifiers from the great emancipator's monument to park spaces on either side of the reflecting pool. The program will be carried over the N. B. C. Blue network.

Free to Public

The recital is to be free to the public. "This seems to me to be a good use of the public facilities," Ickes said, "and the request was granted." The request came from Howard University, sponsoring Miss Anderson's appearance here, and "other interested citizens of Washington," according to the Secretary.

Meanwhile it was announced in Richmond that Mrs. Roosevelt will appear on the same program with Miss Anderson July 2 when the thirtieth annual conference of the National Association for the Advancement of Colored People takes place in the Virginia capital.

The First Lady recently resigned from the D. A. R. in protest against its ban on a performance by Miss Anderson in Constitution Hall.

Fayetteville N. C. Advocate
March 16, 1939

Raising A Race Issue

Mrs. Roosevelt is reported to have resigned from the Daughters of the American Revolution as a protest over the refusal of that organization to rent its hall to famous Marian Anderson, Negro contralto. The incident would be unimportant except for the fact that Mrs. Roosevelt is the most famous woman in the land, and the First Lady. Her action stirs a lot of feeling among the Daughters who are the proud owners of the finest auditorium in the National Capital. But that might pass and the matter end there, except for the fact that the race issue has been raised again. Washington does not welcome that issue because the population is only about 20 per cent divided between whites and blacks.

Shortly after the last war there were race riots in the National Capital, with some shooting down of citizens. Large areas were blocked off, and no one was allowed to go through some streets at night.

The singer says she will be in Washington at Easter, and entertain all who want to hear her, free. She declares that she will appear in a public park and the explanation is accompanied by a sorrowful statement that she has been denied the use of a hall in her own National Capital. Apparently she does not care to use any one of several large halls, except that one she can't get. Swanky DAR hall—capacity 4,500 is where she wants to sing.

There is very little conflict between whites and negroes in Washington and if Mrs. Roosevelt's stand upon this issue stirs up a lot of trouble in the Spring Washingtonians will all join her in feeling sorry. As this item goes forth the First Lady stands pat.

Greenville S. C. Piedmont
April 4, 1939

Black Backs Negro Singer

Is One Of Sponsors Of Easter Sunday Concert To Be Given By Anderson

WASHINGTON, April 4 — (U.P.)— The names of Associate Justice Hugo Black of the supreme court, Secretary of the Navy Claude A. Swanson, and Orchestra Conductor Leopold Stokowski were added today to the sponsors of the Easter Sunday concert of negro contralto Marian Anderson.

The Marian Anderson Citizens committee, which arranged the free open-air concert at the Lincoln Memorial after the singer was denied the use of two Washington auditoriums, announced the acceptance of invitations issued by Rep. Caroline O'Day, D., N. Y. Miss Day is a member of the arrangements committee.

Gainesville, Ga., News
April 5, 1939

First Lady's Recent Action Continues to Have Unfavorable Reverberations.

In the South, there has been a decidely unfavorable reaction to Mrs. Franklin D. Roosevelt's resignation a few weeks ago from the Daughters of the American Revolution because Marian Anderson, a negro contralto, was denied the use of Constitution Hall, the home of the organization in the capitol city. It is said that Mrs. Roosevelt very pointedly attended negro shows two nights hand-running immediately after her rather impulsive with-drawal from the D. A. R.

Soon after the furore created by the incident, use of the Washington Central High School auditorium, which is a white school, was also refused the singer, and in the national capitol tongues were set a-wagging again in rapid-fire fashion. As Marian Anderson's concert tour is under the sponsorship of Howard University, a negro institution, in all probability it will profit considerably from the publicity caused in the first instance and subsequent events.

The singer is to appear in Atlanta this week and while we do not know where the concert will be held in our opinion she will have many white listeners because we people here in the South seem to appreciate the melody that just naturally comes from a negro's voice more than do our Northern friends. However, those whites who go to hear the famous negro contralto in Atlanta will have seats in a section reserved for them and there will be no intermingling of the two races in the concert hall, such as would have happened at either of the places requested for use in Washington, D. C., by the tour managers. In-so-far as this section of the country is concerned we respect the negro in his place and co-operate with him in every way we can for his advancement, but such ill-advised actions as those of Mrs. Roosevelt are unfortunate for both races.

D.A.R. Still Under Fire, Seeks To Defend Stand

WASHINGTON—(ANP) — Still under fire from all sides for barring Marian Anderson from appearing in a recital at tax-exempt Constitution Hall because she is a Negro, the Daughters of the American Revolution sought last week to defend their stand after Mrs. Roosevelt resigned from the organization.

Mme. Julia Grant Cantacuzene, D. A. R. leader now in Sarasota, Florida, stated that refusal to lease Constitution hall to the singer "is a matter of long-stand policy set up by original rules of the hall and not deserving of the treatment it has received from numerous persons commenting upon it.

"Rules covering leasing of Constitution hall absoutely prohibit renting the building to any colored organization. This is the first time any issue has been made of the policy and its is definitely not a discrimination against Marian Anderson, whom I consider a very talented singer."

Mme. Cantacuzene is the granddaughter of former President U. S. Grant.

At Springfield, O., Mrs. John S. Heaume, recording secretary general of the D.A.R. said the organization would accept Mrs. Roosevelt's resignation at its April 15 meeting.

She said the board, since the controversy began, had voted to continnue its seven - year rule against leasing the building to Negro artists, adding this policy "is in line with hose in effect for other meeting places in Washington" and added that "to have rescinded our rule in favor of Miss Anderson would have jeopardized our contractual relations with many other groups."

Even federal officials have protested the D.A.R. ban. Secretary Ickes last week made public a letter sent to Mrs. Henry Robert, Jr., president general of the organization, in which he stated, "This is such an astounding discrimination against equal rights that I am loath to believe that the Daughters of the American Revolution should invoke such a rule."

Rep. Joseph A. Gavagan, New York Democrat whose anti-lynching bill passed the house in 1937, said the ban "smacks of Nazi and Fascist philosophy" and declared "Perhaps the purposes and principles of the D.A.R. have changed and today the association is ready to foster and maintain the principles of the Fuehrer and Il Duce."

SOUTHERN PAPERS TAKE POKE AT WASHINGTON BAN ON MISS ANDERSON

WASHINGTON —(ANP)— Representative daily papers in all sections of Dixie have blasted the Daughters of the American Revolution for their refusal to let Marian Anderson appear in concert at Constitution Hall because of her race.

One of the most notable editorials, entitled "No Color in Art," appeared last week in the Jackson (Miss.) Daily News. It said:

"If the committee's action was based on the mere fact that Marion Anderson is a Negro, then it was not only a silly exhibition of race prejudice but incredibly stupid as well.

"Locking the doors of the official home of the D. A. R. against a singer whom the foremost musical critics declare has the most glorious contralto voice in the world is an act of insanity, almost impossible to believe.

"The Negro race clearly is the winner in that unfortunate and foolish Washington episode. Marian Anderson, one of the greatest of singers, should as a matter of ordinary common sense and justice have been allowed the right to rent a suitable public hall in the nation's capital for her concert. When this right was denied her, public sentiment naturally was stirred against those who denied it. If Marian Anderson had arranged a concert in Columbia, The State believes she would have no trouble whatever in easing a suitable auditorium. Great Negro artists in the past have found Southern communities both sensible and appreciative."

DISCRIMINATION- 1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

Statesboro Ga., Times and News
March 2. 1939

FIRST LADY PEEVED?

The daily papers of the present week have been displaying a rather pleasant-faced picture of Mrs. Roosevelt which is accompanied by a story which purports to tell how the lady is getting "hot and bothered" over the negro question.

The story quotes her as declaring that she had resigned from "an organization" because she disapproved of a course followed by that organization; and then follows with enlargement the bold intimation that the "organization" referred to is the DAR, and that the action obected to was the refusal to permit a negress singer to appear in a concert given in the hall belonging to that organization.

Somehow we cannot bring ourselves to believe that the lady would get so wrought up over a matter like that. The story seems to indicate that the use of the hall was denied the negress on the alleged ground that it had been previously engaged for other uses, and that this excuse was a subterfuge to cover the racial prequdice.

Judged from this long range, we are inclined to give credit to the diplomacy of the ladies who drew the line thus delicately without revealing the real reason which would give unnecessary offense. It would seem reasonable that the ladies of the DAR who own the property ought to have the right to say who may or may not occupy that property; and certainly it is the perogative of a lady to cover the real reasons for refusal if she wanted to. However, if the First Lady is so vehement in her demand that her white associates shall share with her in all her likes and dislikes, even at the expense of losing her friendship, that seems to be a fair bargain.

Even so, the First Lady is not going further in this episode than the First Gentleman has gone in his attempt to force the anti-lynching law down the throats of his southern admirers.

Brunswick, Ga., News
March 7, 1939

SHAME ON THE LADIES

Even though the Washington chapter of the Daughters of the American Revolution has now reversed its firstand, true lovers of liberty and tolerance cannot help but leplore the organization's attitude with regard to usage of Constitution Hall for a performance by Marian Anderson, great negro contralto.

It was the organization's original refusal to grant the hall for the concert, you recall, which caused Mrs. Eleanor Roosevelt to resign from the chapter. In doing so, it seems to us, Mrs. Roosevelt did a courageous and honorable thing.

At a time when the head of this nation is denouncing foreign countries for their campaigns of racial persecution and we are allowing the Nazi gorillas the right to stage such disgraceful spectacles as their recent German-American bund meeting in New York—all in the name of tolerance and free speech—it is certainly far from reflecting credit upon us to show such discrimination as has the Washington group. Simply because Marian Anderson's color is not that of the DAR membership is no reason why she should be the target for gross intolerance. It must not be forgot that genius knows no color lines, and it is our own Toscanini who has called her "the world's greatest singer."

Why there should be any objection to the appearanc of Marian Anderson in Constitution Hall at Washington passes all human understanding. She can sing almos anywhere else in Washington, she can sing almost any where else in the United States and in Europe.

We are quite sure that, just as the Washington chapter's attitude is not the attitude of Americans in general it, likewise, does not represent the general attitude of the DAR. Certainly that action is beneath this great American organization. It is rather ironical that an organization of which membership is made up of the daughters of those brave Revolutionary heroes who fought and died in order that freedom and tolerance might flourish in this country should have taken this un-American and intolerant sten.

Charleston, S. C. News & Courier
March 1, 1939

Much Ado About Nothing

About sixty years ago a negro prodigy called "Blind Tom", who had a white manager, was accustomed to "tour" the villages of the South, and his coming was hailed with pleasure by the villagers. The largest hall in the village was available to him, and no one objected to his appearance in it. That was before the D. A. R. was invented. Now we see that Marian Anderson, a colored woman who has a beautiful voice, is denied the use of a hall belonging to the schools of Washington, D. C., and of another belonging to the D. A. R.. Were she to come to Charleston we would have pleasure in hearing her sing in any public hall, provided it were not given over for a "race concert." Why this much ado about nothing in Washington? Writing as an old reporter who more than once has reported meetings of negroes in their own halls (including political meetings in their churches) and there been treated courteously by them, we are without sympathy with the "drawing of the color line" against a negro artist who has something worthwhile to offer to white and black people alike—and this we say without budging an inch from insistence upon social separation of the races. No such question is involved in renting a hall to a negro. When the "Southern Welfare Conference" met in Birmingham it was entirely right that the ordinances of Birmingham separating the races in the assembly hall were observed and obeyed, but the hall was not hurt by the attendance of the colored people.

"OBSCURE" SAYS PEGLER

In commenting on the intolerance of the Daughters of the American Revolution toward Marian Anderson, world famous contralto, Westbrook Pegler slips a cog in referring to the great artist by calling her a "hitherto obscure singer." Now there is no truly informed American who would call Westbrook Pegler an "obscure writer." A much better known personality the world over, than Mr. Pegler is Miss Anderson. Surely Mr. Pegler knows this to be a fact but he lays himself wide open for being dubbed "obscure" by using that term to apply to a person better known than himself.

BOSTON MASS GLOBE
WEDNESDAY MAR 1 1939

Eleanor and Theodore

Mrs. Roosevelt's championship of Miss Marian Anderson, great Negro contralto, who has practically been denied the right to sing in the capital city of her own nation, brings to mind a happening of some 38 years ago.

Another Roosevelt was in the White House at that time, having been President only a few weeks. One day a terrific storm broke about his head as it became known that he had invited a Negro to dine with him.

The prospective guest was Mr. Booker T. Washington, regarded even then as the foremost American of his race. For years he had been performing notable service through Tuskegee Institute, offering education to colored youth. But countless white Americans were shocked at the idea of a person with a black skin sitting at the table in the White House.

Theodore Roosevelt may have been startled, but he was not awed. The dinner came off as planned and no doubt the table talk was informing to both host and guest.

The position taken by Eleanor Roosevelt harmonizes with that of her uncle and, because of what he did, the reaction in her case is more than should be expected in a democracy.

White Press Places Anderson Stories On Taboo List

Black Dispatch
Oklahoma City, Okla.
4-8-39

WASHINGTON, D. C.—(ANP) John Lovell, Jr., secretary of the Marian Anderson Citizens' committee, composed of 90 cooperating organizations, said that the Associated Press and International News service have turned thumbs down on further releases in the Marian Anderson case.

Lovell quoted the AP representative as saying, "We haven't had anything on that (Marian Anderson matter) and I don't think we would want anything on it. We are not carrying on with that controversy." AP recently carried several releases, however, when the Anderson case attracted nationwide attention following the resignation of Mrs. Eleanor Roosevelt from the DAR because of that organization's discrimination against the noted singer.

Lovell reported International News service representative as saying, "With all the international stories breaking around and about, we have no room for it (Marian Anderson story) on our wires." The newsman maintained it is essentially a Washington controversy. Lovell said that obviously these news services conside the shocks to democracy in Europe and As ia are more important than a case which, in the opinion of people in all sections of the nation, has tried American democracy more severely than anything in recent years.

Congress May Probe 'In And Out' Policy Of D. C. Schools In Marian Anderson Ban

Appeal Will Be Carried Back to School Board from Decision of School Superintendent, Who Refuses Use of Central High School Auditorium.

WASHINGTON, D. C., Mar. 23—A U. S. Congressional investigation may be necessary to finally decide whether or not Marian Anderson, world-famous contralto, will sing in the auditorium of the Central High school Easter Sunday.

This possibility loomed large following announcement that an appeal will be taken from the decision of Dr. Frank W. Ballou, white, schools superintendent, banning use of the auditorium for the concert.

The latest move in the "in and out" policy was announced by the Howard University Music School, sponsors of the concert, last Saturday.

FORMAL STATEMENT ISSUED BY COMMITTEE

A formal statement on the Ballou action was issued through John Lovell, jr., secretary of the Marian Anderson Citizens' Committee.

The music school "refuses to accept responsibility" if the concert is not held in the Central Auditorium Easter Sunday, the statement said.

D. C. SCHOOL BOARD CRITICIZED FOR ACTION

"The responsibility rests squarely on the Board of Education and the superintendent of schools. It was the Board of Education which twisted a simple emergency into an attempt to involve the local school system. The dual school system is not in issue. The issue is the community use of a public building on a holiday."

"Application for use of the auditorium for the concert still stands, and the subscription list is still open," the statement read.

The committee also scheduled a mass meeting for March 26, and announced it will seek a Congressional investigation of the board's action to clarify regulations regarding use of public buildings.

UNITED FEDERAL WORKERS PROTEST

Meanwhile, condemnation of the action was heaped on Dr. Ballou in a resolution adopted by the D. C. Council, United Federal Workers, a CIO affiliate. The resolution stated:

"We believe the denial of facilities of a public building to a citizen of the United States because of her race is an affront to the democratic principles which form the basis of our American system."

The committee plans to ask Congress to investigate previous practices in granting use of school buildings and to ask for an amendment to the law on circumstances in which use can be granted. A mass meeting will be held by the organization March 26.

'The Making Of Marian'

When Mrs. Franklin D. Roosevelt resigned from the D. A. R. because use of its Constitution Hall by Marian Anderson, Negro contralto, was refused, The Times published an editorial headed The Making of Marian.

The Times did not say the singer was not famous, or that she was poor. It believed the publicity thus created would be profitable financially.

A few days ago she sang at the Lincoln Memorial, under patronage of notables, including Chief Justice Charles Evans Hughes and Mrs. Hughes.

The incident was highly dramatic.

A Negress singing at the foot of the emancipator in 1939 presented a moving spectacle, although Negro art was not, as The Times pointed out, in bondage a generation ago.

Blind Tom and Black Patti are names well known.

Now it is announced that Marian Anderson will sing before the King and Queen of England.

Her earnings last year were $30,000. Almost surely they will be greater year after year, during the remainder of her career, as a result of the D. A. R. incident, than they would have been had she sung in Constitution Hall.

There may be some explanation of refusal of the auditorium which would show that it was not due, or not due wholly, to the singer's color.

If so, not one American in 100 would be interested in it.

The fact that will not be forgotten is that a Negro singer was not permitted to sing in Constitution Hall; that as a result the wife of the President of the United States resigned from a patriotic organization; that the singer then appeared at the Lincoln Memorial, with a police guard suitable to the public appearance of a monarch, and was heard by 75,000 people.—The Louisville Times.

Thank the D. A. R.

(Washington Daily News)

The nation can thank the D. A. R. for Easter Sunday's Marian Anderson concert in its dramatic Lincoln Memorial setting. If it hadn't been for the intolerance of that organization the recital would not have occurred and countless thousands would have been denied the soul-stirring thrill of hearing probably the greatest voice of this century if not of all time. Bigotry is its own reward.

Democratic Victory For Marian Anderson In Nation's Capital

By WITTIE ANNA BIGGINS

Democracy reigned supreme in the Nation's Capital on Easter Sunday afternoon when 75,000 people from all walks of life, all nationalities and creeds, assembled before the Lincoln Memorial and paid glowing tribute to Marian Anderson, America's matchless contralto song-bird. It was the largest concert ever known in the history of the Nation's Capital.

Queenly clad in a black velvet gown with flowing train and snuggly protected from the chilling winds of the Potomac in a beautiful mink coat, Miss Anderson stood on the green-carpeted platform before the statute of the Great Emancipator and released tones that captivated that tremendous audience. She has the honor of being the first person of any race to expound her art at this national shrine.

On either side of her were seated men and women who had courageously struggled to win the democratic victory that was accorded the singer, while mingled among them were members of the President's Cabinet, Congressmen, Government Officials, noted business men and social leaders who had come to pay tribute to whom it was due. Close beside her was her proud mother, Mrs. Anna Anderson, and two sisters; and closer still her accompanist who shared with Miss Anderson the honors of the afternoon. Nearest of all was Harold L. Ickes, Secretary of the Interior, who was host to the singer and that multitude of listeners.

The open air concert was the climax of a bitter controversy which followed the refusal of the DAR to permit Miss Anderson to give her concert in Constitution Hall, and likewise refusal of the Board of Education of the District of Columbia to allow the use of the auditorium at Central High School for a concert by Miss Anderson. Oscar L. Chapman, Assistant Secretary of the Interior, is credited with suggesting the open air concert which was made possible by Secretary of the Interior Harold L. Ickes.

While members of the Marian Anderson Citizens Committee had not agreed that it was appropriate for Miss Anderson to sing in the open air, her triumphant reign of Sunday afternoon convinced them and a paid concert, though it had been held in the White House, could not have attained such success. It demonstrated the doctrine of racial equality for which Lincoln lay down his life—a bit of history the DAR has yet to learn.

As Secretary Ickes introduced Miss Anderson with the words: "In this great auditorium under the sky all of us are free," applause echoed from the patform on which she stood, across the reflecting pool facing her, and down to Constitution Avenue, practically three squares away, the extent of that innumerable crowd. He continued, "When God gave us this wonderful auditorium and the sun, the moon and the stars, he made no distinction of race, or creed, or color." Applause interrupted, but finally he continued.

"Facing us, down the Mall beyond the Washington Monument, which we have erected as a symbol of the towering stature and fame of him who founded this Republic, there is rising a memorial to that other great Democrat in our short history, Thomas Jefferson, who proclaimed that principle of equality of opportunity which Abraham Lincoln believed in so implicitly and took so seriously. In our own time, too many pay mere lip service to these twin planets in our Democratic heaven. There are those, even in this great Capital of our democratic Republic, who are either too timid or too indifferent to lift up the light that Jefferson and Lincoln carried aloft.

"Genius, like justice, is blind. For genius has touched with the tip of her wing this woman, who, if it had not been for the great mind of Jefferson, if it had not been for the great heart of Lincoln, would not be able to stand among us today a free individual in a free land. Genius draws no color line. She has endowed Marian Anderson with such a voice as lifts any individual above his fellows, as is a matter of exultant pride to any race. And so it is fitting that Marian Anderson should raise her voice in tribute to the noble Lincoln, whom mankind will ever honor.

"We are grateful to Miss Anderson for coming here to sing to us today."

In the midst of vibrating applauses, the soloist arose, closed her eyes, clapsed her hands in front of her, and without effort, sang "My country 'tis of thee, sweet land of liberty." Men removed their hats. There was silence everywhere. Men and women silently wept, many with bowed heads. Then they applauded, and marveled at such matchless tones, flowing with such ease from the lips of the woman whom "genius had touched with the top of her wing."

MARIAN ANDERSON CONTROVERSY UP IN HOUSE OF REP.

CONGRESSMAN ARTHUR W. MITCHELL CONDEMNS ACTION OF D.A.R. WHEN EULOGIZING THE LATE SENATOR J. H. LEWIS

WASHINGTON, D. C. — The Marian Anderson-D.A.R. controversy flared anew today when Con. Arthur W. Mitchell of Chicago, eulogizing the late Senator James Hamilton Lewis, recommended that the D.A.R. adopt the "tolerant attitude" of the late Senator, and "stop talking so much about Americanism and live the kind of life that will challenge the admiration of people who believe in virtue, honesty, and patriotism."

Referring to the resignation of Mrs. Roosevelt and others from the organization because of the Marian Anderson controversy, Congressman Mitchell in a letter to the President-General of the D.A.R. said: "It seems to me that an organization is getting in rather bad shape when the most distinguished and best meaning women in the country have to sever their connections from that organization because of its narrow view on racial matters."

"It is difficult for me to understand the attitude of the D. A. R., especially so, in view of the fact that among the first four Americans who gave their lives for the independence of America was Crispus Attucks, a Negro who fell on State Street in Boston at the very beginning of American hostilities under British rule," Mitchell wrote.

"Do you conscientiously think that your organization, pursuing the policy that it is pursuing with regard to minority groups, and especially the Negro, is making any contribution to the building of substantial American citizenship? Is it your idea that real patriotism should be colored and shaped by race prejudice?

"No wonder people of other countries cannot understand what we call Americanism. Men like the late Senator Lewis and the wonderful contributions made by them to building citizenship are the safest guarantees for the continuance of a great democracy in this country."

In a speech on the floor of the House concerning the passing of Senator Lewis, Congressman Mitchell said:

"I am in a position to know real friends as many of you might not be. Because of the color and hue of my skin and the race with which I am identified, I have an opportunity to see the bigness of men's hearts as a great many people cannot see it."

He said that in the passing of Senator Lewis, the nation lost one of its outstanding statesmen and diplomats, the world lost one of its greatest scholars and most polished gentlemen, and: "My race has lost a friend—tried and true."

Marian Anderson Should Thank DAR

By WILLIAM PICKENS

"In the end" race prejudice lost out, as all prejudices will in the long last lose out. But they will not always lost out with such swift ness of evolution; a remarkable victim of prejudice, a remarkable exponent of prejudice a remarkable champion of the victim,—and a remarkable American democratic response.

Sometimes it will take more than a few weeks or months; sometimes it will take years, decades, even centuries,—but always in the end the inhuman, illogical unintelligent prejudices will lose.

PLAYING POLITICS

In Iowa in March they told me that the Madam State President of the D.A.R. had sent around word to her locals that Eleanor was "playing politics." Ye Gods! If the woman wanted to play politics, the D. A. R. was the crowd she should have played with: this aggregation of Revolutionary Daughters can swing more votes and do more politics in one year than Marian Anderson and all her crowd will be able to swing and do in a life time. When one does a worthy thing, his opponents always ascribe an unworthy motive for it. This thing of defending human decency, even to the point of resigning from the proud American Women's organization, was done by Mrs. Roosevelt, not as the wife of the President, but as a woman of America, as an American woman who is decent and who cannot stomach just any amount of indecency.

And American leadership responded brilliantly—in spite of the silence of Garner and Farley, and the noisiness of Ellender of Louisiana. And the American people (bless them) 75,000 of them, white and black and yellow and brown, turned out and showed their fundamental decency. It was perhaps the greatest face-to-face audience any American singer ever had,—certainly the greatest one Miss Anderson ever had or ever may have.

MUST THANK D.A.R.

And for this she must think the D.A.R. who deserve no thanks. Their attack brought Marian her greatest victory; treir un-lday like kick kicked her right on upstairs. 'Ye meant it for evil, but"——

DISCRIMINATION-1939

H.C.

MISS MARIAN ANDERSON AND THE D,A.R.

SCHOOL BOARD 'BACKS DOWN' ON BAN AGAINST MARIAN ANDERSON

Pittsburgh Courier

3-11-39

When Their Bluff Was Called, They 'Reversed'

'STRINGS' ON ACTION, HOWEVER, MAY CAUSE REJECTION OF HALL

Pittsburgh Courier

WASHINGTON, March 9.—Bewildered by a cross-fire of searing criticism and protest that focused the spotlight of national indignation on Washington, the District of Columbia Board of Education "crawfished" last Friday afternoon, rescinded a previous decision denying the use of Central High School auditorium to Marian Anderson and voted to admit Miss Anderson Easter Sunday afternoon, provided colored people did not take advantage of this situation to try to get the auditorium again.



Members of the District of Columbia Board of Education as they listened to arguments asking for reconsideration of their action in refusing Howard University permission to use Central high school (for white pupils) for Marian Anderson's Easter Sunday recital. Arrows, left and right, point to colored board members, John Wilson and Col. West Hamilton, respectively. Mrs. McGuire, third colored member, was absent. The board voted to open the high school to Miss Anderson.—Scurlock photo.

The action was a compromise, sustained by six board members, including the three colored, Col. West A. Hamilton, Mrs. Florence McGuire, John Wilson, and voted against by two whites.

It was immediately made known by colored leaders that the action of the board was not satisfactory and that Howard University officials would be importuned not to accept the auditorium under the board's conditions.

Alternatives were the use of either the Belasco or National Theatres, or an open-air concert in Potomac Park, facing Constitution Hall, which the Daughters of the American Revolution denied to Miss Anderson.

"BOARD'S ACTION NOT SATISFACTORY"—HOUSTON

Charles H. Houston, chairman of the Marian Anderson Citizens' Committee, who led the fight to lift the ban, declared Saturday morning that the action of the School Board was not satisfactory, "because it represents a different point of view."

The school board, he said, reached its conclusion from an entirely different position from that he

wanted it to take.

It reached its decision, he stated, from the point of view that the Central High School building belongs to the white people of the District of Columbia. He took the position that public school buildings belong to the community.

"I recognize the fact that the building is assigned to white students for educational purposes," he said. "But what about Sundays when the building is not in use? Nobody has school on Sundays.

"I do not think that the white people have a proprietary interest in or ownership of Central High School any more than Negroes own Armstrong High School. I think both Central and Armstrong High School buildings belong to the public."

WANTED VOTE WITHOUT STRINGS

At the meeting of the School Board last Friday, Mr. Houston wanted a favorable vote without any strings attached.

The school board, however, voted to open the back door to Miss Anderson by calling the problem of obtaining a concert hall for her an "emergency."

C. Melvin Sharpe made his debut as chairman of the committee on community use of buildings by submitting the objectionable committee report on which the rescinding action was based.

"The committee believes," stated the report, "that a concession now, as proof of good will to Marian Anderson and the colored people of the District, will serve to remove this question from public discussion.

FEAR BREAKDOWN OF SEGREGATION

"We believe, further, that if there are in this question now before us implications that the granting of this request may in the future be construed as a step toward interchangeable use of white and colored schools, then it should be denied. The board is now operating under the law of Congress, creating the dual system, and only Congress can change it."

On the basis that the problem of providing Miss Anderson with a concert hall had reached "emergency" proportions, the board agreed to grant the use of Central High School providing:

"That positive and definite assurance and agreement will be given that the concession will not be taken as a precedent and that the Board of Education will not in the future again be asked to depart from the principle of a dual system of schools and school facilities."

RAPS COMPROMISE BY BOARD MEMBERS

When the question of future requests for interchangeable use of schools was presented, Mr. Houston arose and said:

"I want to see Marian Anderson get the Central auditorium—but I want to do it and still keep my self-respect and dignity. I cannot do this and hear the board say it desires to hear no future applications for similar use of school buildings."

After hearing Houston on March 1, the board went into executive session in direct violation of law, and then voted to hold a special meeting of the community use of buildings committee, to discuss the data Mr. Houston had submitted.

The meeting last Friday followed the meeting of the committee on community use of buildings and grounds, which recommended reversing the ban on the appearance of Miss Anderson in Central High School auditorium.

HOUSTON DATA REFUTES BOARD

Data presented by Mr. Houston which led to the reconsideration, referred particularly to previous use of public school facilities for interracial gatherings, and also for paid performances, and the fact that the Anderson concert would be one of a series of seven sponsored by the Howard University School of Music; with no profit to any individual or individuals except the singer.

He said Tilden and Vines played an exhibition tennis match in McKinley High School gym five years ago, admission $1.10 and $1.65; last week George Washington University's basketbal team played Maryland university at McKinley, admission $1.10; District Department, American Legion, held annual conventions in Central High and other school auditoriums for a number of years, beginning with 1924, with white and colored attending; Government employees held an interracial mass meeting at Central High in 1933, and 1934; last spring there was a city-wide suffrage meeting in Central High; on various occasions, such artists as Rachmaninoff, Damrosch and the New York Philharmonic Orchestra have performed in Central High not only with paid admissions, but also with Negro teachers in the audiences.

THE D.A.R. ALIBI

After weeks of silence under a formidable barrage of criticism from prominent persons and organizations in all parts of the nation, the Daughters of the American Revolution, through its President General, Mrs. Henry M. Robert Jr., has at last trotted out its alibi for refusing the use of its Constitution Hall to the eminent contralto, Miss Marian Anderson.

"If or when the community has worked out its problem and adopted other and higher standards," piously states Mrs. Robert, "the society will willingly adapt its own policies to them." But in the meantime it will continue to refuse the use of its precious Constitution Hall to Negroes.

In other words, this organization which avowedly stands for the highest Christian and patriotic ideals will wait for the interracial millenium in Washington, D. C., before it will practice them.

Significantly enough, Mrs. Robert's alibi was applauded by the 4,500 women present who represent the cream of old white American stock in the upper income and cultural brackets. This shows up the hypocrisy of these "best people" who talk glibly about high patriotism, Christian ethics and the maintenance of democracy.

If all organizations working for a better world and for the brotherhood of man are going to wait for communities to cleanse themselves of hatred, prejudice and discrimination before practicing what they preach, then they had better shut up shop and leave the forces of evil in full command.

It is precisely because of social, political and economic evils in our country that such organizations exist or that their existence is justified.

On one point, however, Mrs. Robert is correct: other individuals and organizations can with ill grace condemn the acts of the D.A.R. while condoning color discrimination by other private and public agencies in Washington, D. C., and elsewhere.

If it is wrong for the D.A.R. to deny Negro artists the use of its Constitution Hall, it is equally wrong for Secretary Ickes and the other cabinet officers to permit color discrimination and segregation in their departments, or to remain silent about the wholesale barring of Negroes from hotels, restaurants and certain residential districts in Washington.

Had these highly placed protestants practiced all along what they are now preaching, the D.A.R. would have had no alibi.

DISCRIMINATION-1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

Drakes Br'ch,Va.,Charlotte Gazette
March 9, 1939

Because the Daughters of the American Revolution refused to grant their hall for a concert by a noted Negro singer, doesn't concern us in the least; but when two or three of the old gals take issue with the committee in charge and withdraw from the organization because of it, we begin to think that after all there is more to it than appears on the surface. That the Daughters have a perfect right to refuse the hall to any and everybody there is no argument. And there are more than a dozen ways to look at it. In the first place they own the hall, in the second place the Daughters are white folks, and in the third place it has ever been the custom of Americans to keep the two races separate, and in opening its doors to the Negro race it is violating one of its cardinal principles, and in this particular instance there would be a letting down of the bars, and both white and colored would be mingling together which is not at all desirable by either whites or Negroes, and right-thinking Negroes are as much opposed to the procedure as are the whites.

That Mrs. Roosevelt has seen fit to withdraw from the roster is in itself not surprising. On several occasions the First Lady has displayed the lack of moral courage to uphold the traditions of the American people. Whether it is for political reasons we are not prepared to say. However, she has a right to her convictions, and if she desires to throw in with the minority that is her business; and too, if she has an idea that the Negro race should associate with the whites that again is her business, and we have no quarrel with her. But we are opposed to the mingling in a social way of the whites and the Negroes, and in this we are sure we bespeak the true sentiments of self-respecting Negroes. The colored race has made great strides—more so than any other people on the face of the earth, and with moral, and not social encouragement, they will go yet farther. But in social intermingling with them we draw the line.

Asheville, N. C., Times
February 28, 1939

Note On Brotherhood

BARRING the Negro singer, Marian Anderson, from their Constitution Hall in Washington, the Daughters of the American Revolution at first gave no explanation. The explanation of race discrimination was therefore naturally attributed to the D. A. R.

Mrs. Roosevelt, apparently resigning from the Daughter's society because its action with regard to the concert, seems to support the public's understanding of the matter. Now the D. A. R. spokesmen state that the only reason the singer was refused use of the hall is that a previous contract stood in the way. That either avoids the question or answers it completely.

It would look pretty bad if such an indefensible act with regard to race issues occurred in the United States last week—right in the midst of Brotherhood Week.

BARRING MARION ANDERSON MAKES HITLER LAUGH.

Editor The News Leader:

Sir,—Since the beginning of the Reich scourge of the Jews, America has gazed out of her front window—her own discriminations cluttered backyard unseen—to deplore the Hitleresque orgies of her neighbor across the Atlantic. Her patriotic organizations have not been among the least of those who have raised voices of protest, and the echo of those voices might have been a "snicker." However, when Herr Hitler and his race-baiting lieutenants hear of the D. A. R.'s reason for barring one of America's greatest singers from their tax-exempt Constitution Hall, the next echoes will certainly be "guffaws."

To most informed Americans it would be a waste of breath to repeat the names of renowned stages which have been graced by the presence of this modest, dark American, or to enumerate the importance of many of the audiences which have been charmed by the voice which Toscanini called "the greatest in a hundred years." That to her—or any other American—the descendants of the men who fought for liberty and freedom should raise the barrier of race prejudice within the shadow of the Capitol is certainly a slap in the face to our cherished "Americanism." Anything contrary to Hitlerism is treason; the D. A. R. calls this thing patriotism, and Hitler laughs up his sleeve.

HUNDRED PER CENT. AMERICAN.

Lawrenceville.

CONG. MITCHELL SCORES D.A.R. FOR ATTITUDE

4-23-39

Eulogizes Late Senator Lewis

WASHINGTON, D. C., Apr. 20—The Marian Anderson-D. A. R. controversy flared anew here this week when Congressman Arthur W. Mitchell of Chicago, eulogizing the late Senator James Hamilton Lewis, recommended that the D. A. R. adopt the "tolerant attitude" of the late senator, and 'stop talking so much about Americanism and live the kind of life that will challenge the admiration of people who believe in virtue, honesty and patriotism."

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"Do you conscientiously think that your organization, pursuing the policy that it is pursuing with regard to minority groups, and especially the Negro, is making any contribution to the building of substantial American citizenship? Is it your idea that real patriotism should be colored and shaped by race prejudice?

"No wonder people of other countries can't understand what we call Americanism. Men like the late Senator Lewis and the contributions made by them to building citizenship are the safest guarantees for the continuance of a great democracy in this country."

In a speech on the floor of the House concerning the passing of Senator Lewis, Congressman Mitchell said:

"I am in a position to know real friends as many of you might not be. Because of the color and hue of my skin and the race with which I am identified, I have an opportunity to see the bigness of men's hearts as a great many people cannot see it."

He said that in the passing of Senator Lewis, the nation lost one of its outstanding statesmen and diplomats, the world lost one of its greatest scholars and most polished gentlemen, and: "My race has lost a friend—tried and true."

Lecture Group Withdraws Patronage Of D. A. R. Hall As Protest Against Ban

WASHINGTON, D. C., March 16.—Amidst applause from the audience, Senator Robert M. LaFollette, Jr., of Wisconsin, announced from the stage of Constitution Hall Tuesday, March 7, that no more lectures in the Bronson Cutting Memorial series will be held in the building which belongs to the D.A.R., because of the ban on Marian Anderson's singing there April 9.

The last lecture in the 1939 series, according to Senator LaFollette, who is chairman of the committee in charge of the lectures, will be held March 27 in some other hall here. The lectures are made possible by an endowment established in honor of the late Senator Bronson Cutting, of New Mexico. Senator LaFollette made the announcement just prior to a lecture given by A. A. Berle, Assistant Secretary of State.

The Berle lecture would have been held elsewhere, he said, if tickets had not already been distributed earlier.

JOHN T. GRAVES III TELLS D. A. R. SOME OVERLOOKED HISTORY

BIRMINGHAM, Ala. (CNA)—The contralto voice of Marian Anderson, banned by the Daughters of the American Revolution from their Constitution Hall in the nation's capital, thrilled a packed audience of Negroes and whites in Birmingham's largest public auditorium.

The concert had the support of Birmingham's white papers from the start.

John Temple Graves III, columnist and editorial writer for the Birmingham Age-Herald, recalled that the Negro Folk Symphony No. 1, written by Music Director Dawson of Tuskegee Institute, had received tremendous acclaim in Birmingham, two years ago.

Rebuking the Washington DAR for the insult to Miss Anderson and the Negro people, Graves reminded them that Crispus Attucks, Boston Negro, was the first American to shed his blood in the American Revolution.

"There is a monument to him (Attucks) on Boston Common," Graves said, "unveiled in 1888. 'Almost a giant in stature,' according to John Adams, he led a band of 50 to 60 men on the evening of March 5, 1770, in protest against British injustices."

KELLY MILLER WRITES:

MARIAN ANDERSON TRIUMPHANT

MARIAN ANDERSON last Easter made her triumphant entry into Washington, and left the city and nation entranced by her divine gift of song. 75,000 citizens, white and colored, crowded about her, vieing only in admiration and appreciation of her genius. The angry controversy which preceded her coming but enhanced the glory of her exaltation.

The Daughters of the American Revolution, who are supposed to embody and perpetuate the highest ideals of patriotism, and the School Board of the National Capital, which ought to exemplify the democratic sprit of American Education, stand fittingly rebuked for denying the use of their auditoriums to a child of genius who happened to be born on the benighted phase of the moon.

Marian Anderson's appearance at the National Capital was sponsored by none less than Mrs. Franklin D. Roosevelt, the first lady of the land, Chief Justice Hughes of the Supreme Court, Secretary of the Interior Ickes, and a host of others of like personal, social, and official standing. To make the rebuke of the narrow provincial sprit complete, Justice Hugo L. Black was listed among the sponsors!

Miss Anderson's appearance in the National Capital was arranged by the School of Music of Howard university. When suitable accommodations were denied elsewhere. Secretary Harold Ickes offered the use of the Lincoln Memorial as an incomparable setting for the occasion. In his introductory remarks, the Secretary pointed out that the Washington Monument, the Jefferson Memorial and the National Capitol fell within the easy range of vision. Nor did he forget to administer an artistic rebuke to the Daughters of the American Revolution, the Washington School Board, et id omne genus, which their conduct deserved. He glorified the liberal sprit of Jefferson and Lincoln which made Miss Anderson possible.

As if to cap the climax Miss Anderson sang as her opening number our National Anthem: "My Country, 'Tis of Thee, Sweet Land of Liberty, of Thee I Sing"—surely the Daughters of the American Revolution must have hung their heads in shame.

Instead of the resounding board of Constitution Hall or the Central High School auditorium, Miss Anderson's voice was carried by radio on the wings of the air throughout the length and breadth of the land, to all the inhabitants thereof. Never before has an American artist received such advertisement. Surely the God of genius makes the wrath of man to praise him.

This unhappy episode might well resolve itself into disdainful laughter and mirth in which the Olympian Gods were wont to indulge over manifestations of human folly. To ignore or suppress genius wherever it appears, casts a serious reflection upon the enlightened pretentions of human nature. The genius of Shakespeare never showed itself to better advantage than when he characterized the perpetrators of such folly as "What Fools These Mortals Be." Those who would on any account decry the manifestations of human genius but evince that "heathen rage" but vaunteth itself unseemly and imagines a vain thing. Those who sit in the pure and serene elevation above the vale can only laugh and hold them in derision.

We are told that the chief priests and elders, on learning that Lazarus had been raised from the dead, conspired to put him to death a second time, for fear that the Jews might be persuaded to believe in the miraculous power of Him who raised him from the dead!

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ICKES CONGRATULATES MISS ANDERSON



Marian Anderson, whose voice thrilled 75,000 in an open air concert from Lincoln Memorial Sunday, is being congratulated by Secretary of the Interior Ickes following a recital which enjoyed a nation-wide radio hook-up. Miss Anderson sang six songs, three of them spirituals. (Story on Page 2). Photo courtesy of Chicago Evening American.

Ickes Scores Bigotry At Open Air Concert Of Marian Anderson

WASHINGTON, D. C.—In deep religious silence an audience of more than 75,000 spectators of both races heard Marian Anderson, world-famous contralto, conclude her free half-hour open air Easter Sunday concert on the steps of the Lincoln Memorial by singing "Nobody Knows the Trouble I've Seen." There was a brief silence as the singer bowed to the vast audience and then came a wild ovation, a fitting climax to one of the most widely heralded concerts ever held.

With tear-choked voice, Miss Anderson responded to the ovation, saying:

"My dear friends, I am so overwhelmed that I cannot express myself. I hope you will ever find me grateful for the wonderful things you have done for me. Please try to imagine all the things I cannot say."

Promptly at five o'clock, Secretary of the Interior Harold L. Ickes was introduced and over a nation-wide radio hookup lashed out at the intolerance and racial prejudice which was responsible for Miss Anderson having to give an outdoor concert because Daughters of the American Revolution and the District of Columbia Board of Education turned down her management's applications for the use of their facilities for an Easter Sunday concert under auspices of Howard University.

"In this great auditorium under the sky," Secretary Ickes said, "all are free. When God gave us this wonderful outdoors and the sun, the moon and the stars, He made no distinction of race or creed or color."

"But," he continued, "there were those, even in the great capital of our democratic republic, who would make such distinctions, and who were either too timid or too indifferent to lift up the light that Jefferson and Lincoln carried aloft.

"Genius," he said, "draws no color line. She has endowed Marian Anderson with such a voice as lifts any individual above his fellows, as is a matter of exultant pride to any race. And so it is fitting that Marian Anderson should raise her voice in tribute to the noble Lincoln whom mankind will ever honor. We are grateful to Miss Anderson for coming here to sing to us today."

Miss Anderson opened her program singing "America" and then sang the aria, "O Mio Fernando," from Donizetti's operate "La Favorita"; Schubert's "Ave Maria"; Burleigh's "Gospel Train"; Boatner's "Trampin", and Florence Price's "My Soul Is Anchored In The Lord". As an encore she sang "Nobody Knows The Trouble I've Seen."

Distinguished Audience

Mrs. Eleanor Roosevelt, wife of the President, was spending the holiday at Hyde Park and could not attend the concert which she did much to bring about but sent Miss Anderson a beautiful bouquet of gladioli, snapdragons, lilies and tulips. Notables on the platform besides Secretary Ickes included:

Supreme Court Justice Black, Senators Wagner, Mead, Clark, Guffey, Barkley and Capper, Secretary of the Treasury Henry Morgenthau, Attorney General Frank Murphy, Representatives Arthur W. Mitchell and Caroline O'Day, Walter White of the N. A. A. C. P. Chief Justice Charles Evans Hughes, one of the sponsors, was unable to attend because of illness.

Growing Support for Colored Shown In Anderson Case

WASHINGTON, (C N A) — The growth, under the New Deal, of liberal support for the Colored people in the struggle against jim-crow oppression received notable demonstration this week in the number of distinguished persons who came out boldly in support of the Easter Sunday concert of Marian Anderson and in rebuke of the Daughters of the American Revolution who had barred Miss Anderson from their Constitution Hall.

The list included Supreme Court Justice Hugo L. Black, of Alabama., Chief Justice Charles Evans Hughes and Mrs. Hughes; Representative Caroline O'Day (Dem. N.Y.); Secretary of the Navy Claude A. Swanson, Leopold Stokowski, orchestra conductor; Mayor and Mrs. Fiorello La Guardia of New York; Senator Clark of Missouri, Walter Damrosch, Katherine Hepburn, Dr. and Mrs. Ernest Gruening, Mrs. Charles Putnam, president of the District of Columbia Descendants of the American Revolution; Arthur Altmeyer, chairman of the Social Security Board, and Mrs. Altmeyer.

SCHOOLS BELONG TO THE COMMUNITY



"Schools belong to the community," Dr. Charles H. Houston (above) told the board of education of the District of Columbia, when it balked at lending the Central High School auditorium for a Marian Anderson concert. "After school is out, any citizen has a right to use any school," Dr. Houston said. When the board demurred because Marian Anderson was being paid $1750, Dr. Houston cited twenty cases in which white artists had received pay for performances in Central High.

D. A. R. Applauds Explanation Of Ban On Marian Anderson

WASHINGTON, April 18.—(AP)—Daughters of the American Revolution warmly applauded their president general, Mrs. Henry M. Robert, Jr., today when she presented the D. A. R. side of the Marian Anderson controversy.

Denying that "prejudice, personality or discrimination" influenced the D. A. R. management board's decision not to let the negro singer give a concert in Constitution Hall on Easter Sunday, she said the decision was rooted in District of Columbia customs.

Without mentioning the singer, or Mrs. Franklin D. Roosevelt, whose resignation from the D. A. R. drew much attention to the controversy, she listed these reasons for refusing the concert:

1. The hall was engaged for the afternoon of the date when a night appearance was asked and rules forbid rival musical attractions at the hall on the same day.

2. A rule was adopted more than seven years ago "because of unpleasant experiences in attempting to go contrary to conditions and customs existing in the District of Columbia." She did not outline the rule but apparently referred to one restricting use of the building by negro artists.

3. An exception to the rule would have been in violation of "signed agreements and customs for all similar properties in Washington" and would have opened the society to legal responsibility for violation of its own agreements with concert bureaus regularly using the hall.

4. An exception for the musical event would have meant that the society retreated "under fire of widely scattered groups and organizations many of whom knew nothing of the facts and whose interest had nothing to do with the real question."

Mrs. Robert said agitation had begun and the society had been charged with bad faith before any request for an exception to the rule had been made to the D. A. R. board.

"When independence of action is threatened," she declared, "there can be no surrender."

Eight times during Mrs. Robert's 1,300 word review of the Anderson incident, delegates and members attending the opening session of the 48th Congress applauded. At the close there was lengthy standing applause.

Although no action was expected regarding Mrs. Robert's statement it was a lively topic of conversation at state society meetings later in the afternoon and at the president general's reception tonight.

Meanwhile, Mrs. Robert's office acknowledged receipt of a request for a hearing made by the Marian Anderson citizens' committee here. The committee, which asked a chance to change the D. A. R.'s mind on its restriction against negro artists, was told the matter would be considered as soon as possible.

Garner Absence From M. Anderson Concert May Cost Presidency

Washington, D. C.—In their syndicated column "Washington Merry-Go-Round" Drew Pearson and Robert S. Allen assert, "the fact that Vice President Garner failed to attend the Marian Anderson concert before the Lincoln Memorial, or even to acknowledge the invitation, may ruin his chances for the Presidency."

The section of the column dealing with this topic is entitled "Garner and Negroes" and follows in full:

"Garner and Negroes"

"Little things sometimes swing the tide of political events. In 1916 it was Charles Evans Hughes' failure to shake hands with Hiram Johnson in California that probably lost him the election to Woodrow Wilson. And today the fact that Vice President Garner failed to attend the Marian Anderson concert before the Lincoln Memorial, or even to acknowledge the invitation, may ruin his chances for the Presidency.

"The colored vote can swing an election one way or the other in such key states as New York, Illinois, Pennsylvania, and Missouri, and Jack Garner, one of the most shrewd politicians in the country, is quite aware of that fact.

Greatly worried, Jack Garner told Senate colleagues that he never received an invitation, and claims Secretary Ickes did not send him one. On the latter point, Garner is correct, but only by a technicality. The invitation was sent not by Ickes, but by his Assistant Secretary, Oscar Chapman in cooperation with Caroline O'Day, Congresswoman from New York. Western Union has a signed receipt showing the telegram was delivered April 3, six days before the concert.

"Two days later, Walter White secretary of the National Association for the Advancement of Colored People, called Garner's office and asked why he had not answered the invitation. White talked to Louis Friday, competent clerk to the Vice President, and got a definite turndown. Friday said Garner had no intention of lending his name to the concert."

Wilson and today the fact that the Vice President Garner did not attend the concert of Marian Anderson or acknowledge the invitation may have ruined his chances.

Colored Vote Can Swing Election

He also brought out that the colored vote could swing in the election in either direction in certain key states.

The article also stated that Garner has told Senate Colleagues that he didn't receive an invitation, that Secretary Ickes did not send him one "on this latter point, Garner is correct, but only by a technicality. The invitation was sent not by Ickes, but by Oscar Chapman in cooperation with Caroline O'Day, Congresswoman from New York.

V. President Slips a Cog

GARNER ABSENCE FROM ANDERSON CONCERT MAY COST HIM PRESIDENCY

Washington, D. C. April 21—In their syndicated column "Washington Merry-Go-Round" Drew Pearson and Robert S. Allen assert, "the fact that Vice President Garner failed to attend the Marian Anderson concert before the Lincoln Memorial, or even to acknowledge the invitation, may ruin his chances for the Presidency."

The section of the column dealing with this topic is entitled "Garner and Negroes". It stated that it was the failure of Charles Hughes to shake hands with Hiram Johnson that lost him the election to Woodrow

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MISS MARIAN ANDERSON AND THE D.A.R.

FIRST LADY BACKED ON QUITTING D.A.R.

67 Per Cent in Gallup Survey Indorse Withdrawal, But Not the South

By DR. GEORGE GALLUP,
Director American Institute of Public Opinion.

NEW YORK, March 19.—Three weeks ago when Mrs. Franklin D. Roosevelt resigned from the D. A. R., reportedly because of the organization's refusal to let Marian Anderson, a negro, sing in Washington's Constitution Hall, the first lady caused a buzz of comment from Maine to California.

Because every major gesture of a President's wife has a political effect, whether intended or not, observers in Washington wondered whether Mrs. Roosevelt had been wise or unwise.

What would the Democratic south think of her action?

Today the American Institute of Public Opinion reports the sentiments of men and women in all parts of the United States on the issue, and the Institute's findings show that while southern voters have not been pleased, the majority of voters elsewhere are in sympathy with Mrs. Roosevelt's action.

The vote for the country at large is:

Approve of Mrs. Roosevelt's action in resigning	**67%**
Disapprove	**33%**

Southerners dissented by an average vote of 57 per cent, but even some of the dissenters declared they had no objection to Marian Anderson's singing as a paid performer. It was Mrs. Roosevelt's "making a fuss about it" that they disliked.

A majority of Democrats in Mrs. Roosevelt's own party approve of what she did, however, and it is interesting to note that most Republicans do likewise:

	Approve	Disapprove
Democrats	**68%**	**32%**
Republicans	**63**	**37**

The vote is not a clear-cut laboratory test of the racial issue, for Mrs. Roosevelt's own popularity is inescapably involved.

In a recent survey the Institute found Mrs. Roosevelt's popularity greater than her husband's. Sixty-seven per cent of the voters throughout the country said they approved, in general, of the way Mrs. Roosevelt had conducted herself as first lady, while 58 per cent were supporting President Roosevelt.

Nevertheless, the most frequent reason given by those who back up Mrs. Roosevelt's decision is:

"There shouldn't be any race prejudice in this country."

Other reasons put forward for approving her resignation are (1) Marian Anderson's special talent as a singer and (2) general disapproval of the D. A. R. as "too autocratic."

Most of those who criticize Mrs. Roosevelt for resigning say that "color lines have to be kept" or that "it wasn't a big enough issue." A few object that Mrs. Roosevelt should have stayed within the D. A. R. and sought to change its "attitude."

The first lady's action has been about equally popular with men and women voters. Sixty-nine per cent of the women say they approve her course in resigning from the D. A. R., as compared with 66 per cent of the men.

Younger people (aged 18 to 30) tend to be more sympathetic with Mrs. Roosevelt's action than their elders.

Section by section the vote is:

Sections	Approve	Disapprove
New England	**79%**	**21%**
Mid Atlantic	**75**	**25**
East Central	**71**	**29**
West Central	**65**	**35**
South	**43**	**57**
West	**80**	**20**

Miss Anderson May Sing at White House

WASHINGTON, D. C.—(ANP)—Report has it that Miss Marian Anderson, the celebrated contralto, whose contemplated appearance in Washington raised a hurcane second only to that of the famous Teapot Dome scandal, will be one of the featured artists at the most famous address in this city, 1600 Pennsylvania Avenue, having as her audience, several personages of international importance with nary a colored face before her.

In plain English as she is spoke, Miss Anderson is reported to be engaged to entertain their majesties, the King and Queen of England, when they visit President and Mrs. Franklin D. Roosevelt at the White House during their visit to this country in the spring.

If this is true, then the D. A. R., and the board of education of the District of Columbia are both in for a tremendous let-down.

SHOULD MARIAN SING IN D.C. SCHOOL

YES? NO?

Joseph White, music teacher: "No, Miss Anderson should not sing in any school and certainly not in any school or hall under the humiliating conditions that use of the place must never be asked again for a colored concert."

Miss Ima Rapier: Miss Anderson has reached the top as an artist. She should keep the path open to other aspiring singers. Therefore she should not accept the use of any hall which would bar other artists."

Miss Mary Jackson, proprietor Western Lunch: "I sincerely hope she will not sing in that school."

Mrs. Harriet C. Hall, president, Women's Service Club: "I believe something will be gained by Miss Anderson singing in the white high school. It will show that the committee realize they were wrong to ban her recital in the first place. As for the restriction which some think should make her refuse, eventually the ban will be removed as people continue to think and lose their undemorcatic prejudices."

Dr. C. W. Harrison: "I think it would be a good idea for Marian Anderson to sing in the Washington school hall in spite of the restriction imposed. Sentiment all over the country is with the artist and the D. C. public would undoubtedly support her overwhelmingly and thus register a rebuke to the snobbish school committee."

MARIAN WILL NOT SING IN SCHOOL

WASHIGTON, March 23—Use of Central High School auditorium for a concert by Marian Anderson, the world-famed contralto, was denied to Howard University by Frank W. Ballou, superintendent of schools, last Friday.

Refusal of the university to agree to the humiliating conditions under which the Board of Education was willing for the university to use the building for the concert, was given as the reason.

The decision of Dr. Ballou was made known in a letter to Charles Cecil Cohen, chairman of the Howard University Concert Series committee.

FINAL WORD UP TO BALLOU

The question of whether Miss Anderson would be allowed to sing in Central high school was left for the final decision of Dr. Ballou after the university had accepted the use of the white high school auditorium, but declined to be bound by the conditions set by the Board of Education.

Howard University refused to concede that the presentation of Miss Anderson was a commercial venture and to agree that it will never again ask public officials of the District of Columbia for the use of a public building for an educational and cultural community effort.

FEARED PRECEDENT

The committee of the Board of Education on community use of buildings and grounds in recommending that the use of the white high school building be granted the university for the concert by Miss Anderson stipulated that the "concession" be made "only under positive and definite assurance and agreement that the concession will not be taken as a precedent and that the Board of Education will not in the future again be asked to depart from the principle of a dual system of schools and school facilities."

Protesting against the terms of the school board, the Marian Anderson Citizen's Committee took the position that public school buildings are community property and that the public is entitled to use them so long as such use does not directly interfere with the educational purposes for which they were primarily constructed.

It was these two protests against the conditions under whch the Board of Education granted permission for use of Central High that gave Dr. Ballou an opportunity to void the use of the building by Miss Anderson.

ACQUIESCENCE NECESSARY

In his letter to Mr. Cohen, Dr. Ballou took the position that acquiescence in the humiliating conditions laid down by the school board was necessary.

"Acquiescence in these conditions," he wrote, "was necessary in order to secure six votes of the board to suspend the rules and authorize the use of the Central High School Auditorium for the Marian Anderson concert.

"In view of these facts it is obvious that it was the expectation of the board that you would assent to these conditions which were agreed to and became an essential part of the action of the board in making it possible for you to use the Central High School Auditorium.

"It is obvious, therefore, that your 'acceptance' of the use of the auditorium without agreement to the conditions was in reality not an acceptance but a refusal.

"As superintendent of schools, it is my duty and responsibility to supervise the issuance of permits for the use of school buildings, in accordance with the rules and regulations, orders, and instructions of the Board of Education. I have no authority to issue a permit except on the basis of the conditions set up by the board . . . "

As a protest against action of the Daughters of the American Revolution in barring Miss Anderson from Constitution Hall, the last of the Bronson Cutting Memorial Lecture Series will be held March 27 in the Belasco Theatre.

In Washington, D. C., Secretary of Interior HAROLD ICKES, gave MARIAN ANDERSON, Negro contralto, permission to sing at Lincoln Memorial on Easter, after the Daughters of the American Revolution had steadfastly refused to let her appear at Constitution Hall. Quick to answer a plea for sponsors of the concert were Chief Justice and Mrs. CHARLES EVANS HUGHES, who said they would "be happy to give their names as sponsors."

D. A. R. EXPLAINS ACTION ON SINGER

Rule Excluding Miss Anderson's Recital Laid to Views in Capital on Negroes

IS WILLING TO CHANGE

Mrs. Roberts Tells Society the Problem Is One for the Community to Solve

Special to THE NEW YORK TIMES.

WASHINGTON, April 18.—In a first official reference to the controversy over the denial of the use of Constitution Hall for a recital by Marian Anderson, negro contralto, Mrs. Henry M. Robert Jr., President General of the Daughters of the American Revolution, revealed today that the rule excluding Negro artists from the hall had been adopted as a result of "unpleasant" experience and in conformity with existing and still prevailing "conditions and customs" in the capital which the society found itself unable to ignore and powerless to change.

She made the statement in an address at the congress of the organization.

If or when the community has "worked out its problem" and adopted other and higher standards, Mrs. Robert said, the society willingly would adapt its own policies to them. In the meantime it would not again attempt to operate in conflict with community practice.

"This is not a question for the Daughters of the American Revolution alone to solve," the President General stated. Some hearers considered her address a rebuke to critics of the D. A. R. policy, including Mrs. Roosevelt and Secretary Ickes. Her explanation and defense was applauded by the 4,500 daughters assembled in the hall as was her final statement, in which she said:

"If this incident can teach that issues must be kept clear-cut and free from entanglements which obscure the real principles involved; if it can lead the members to know more of the problems and difficulties of the society and emphasize the necessity of seeing the whole picture before forming judgment; if it can lead those who speak without knowledge to search for truth; if it can emphasize the need of decisions without malice, and a patriotism without prejudice, it will have served its purpose."

No Names Mentioned

At no point in her discussion of the "incident" was any name, even that of Miss Anderson, mentioned by Mrs. Robert, nor was the "rule" in question identified other than by implication as one adopted with special reference to Negro artists.

"Let all understand that there never was a question of one person or one artist," Mrs. Robert said. "The only question under discussion was whether in view of all existing conditions an exception could be made in rules of long standing."

An early rule adopted as a guide for the managing director of Constitution Hall provided, Mrs. Robert explained, that when the hall was engaged by one party for an afternoon or night, no rival attraction of a similar nature would be allowed on the same day. This, as well as the Negro exclusion rule adopted several years later, interposed an obstacle to the Anderson recital on Easter, as the hall already had been engaged for a concert on the same afternoon by the Washington Symphony Orchestra.

Although Mrs. Robert did not say so, nor would any D. A. R. official identify the occasion, the exclusion rule is understood to have been due to a series of concerts given some years ago by Roland Hayes, the Negro tenor, in Constitution Hall.

Officials of Howard University and others recalled that the segregation issue was raised by some subscribers to the series who criticized the management of the hall for waiving the "house rule," customary in Washington, of seating Negroes only in the galleries or otherwise apart from white persons. The singer had refused to appear before a segregated audience.

Could Make No Exception

After the receipt of the first request for the use of the hall by Miss Anderson on April 9 and before an opportunity had been afforded for a meeting to consider making an exception to the rule, Mrs. Robert said "comment and adverse criticism gathered like a snowball," and during the ensuing controversy "much conjecture and untruth was published."

"Information and letters received during this period," she continued, "clearly indicated that the question was not one regarding a single artist, but involved far-reaching changing social forces. By the time the national board met on Feb. 1, the real question had become so involved with entanglements that it could not be considered alone.

"After careful consideration of all factors involved, the board decided through a ballot vote that no exception could be made.

"To have changed a rule while it was entangled with so many factors having nothing to do with it would have been to surrender the society to influences inimical to its purposes and efforts."

A letter from Charles H. Houston, attorney for the Marian Anderson Committee, requesting reconsideration by the society on the rule in question and use of the hall by Miss Anderson for a concert at some future date, will be laid before the board at its meeting on Saturday.

ASKS D.A.R. TO RECONSIDER

Manager of Marian Anderson Offers Choice of 15 Dates

Marian Anderson's concert manager, S. Hurok, announced yesterday that he had asked the Daughters of the American Revolution to reconsider their former decision and to appoint any evening from Nov. 15 to 27, 1939, for a recital by Miss Anderson in Constitution Hall, Washington.

Mr. Hurok sent a telegram to the President General of the D. A. R., asking that "your board be called upon to reconsider its decision which by a ballot vote prohibited Marian Anderson from appearing at Constitution Hall this month, despite the fact that your auditorium was available to white artists on April 8 and April 10."

He closed by saying his offer permitted a choice from "fifteen separate opportunities to reaffirm a vital principle of American democracy which must be more profoundly regarded than the rules, customs or practices to which you have referred in your public statement of April 18."

And "Cactus Jack" Wouldn't Go

OFTEN times men take advantage of little things, especially if they are little men to make important gestures. Anyway this has too often been the way of doing things politically expedient.

It was high Eastertide in Washington. It was resurrection day and a colored woman who had been mistreated by a certain organization was singing before the tomb of Lincoln. Men high up in political life were invited and many of them attended. Here were members of the President's cabinet, United States Senators, Congressmen and lesser lights out to do honor to a worthy colored citizen and to hear the anthem proclaim the Lord is risen.

But, running high and higher in the Gallup poll for the presidential nomination, "Cactus Jack" Garner, the vice president, thought in spite of the fact that it was Easter-tide and there was no political significance attached to the huge celebration converging about Marian Anderson, it was the dramatic expedient thing not to attend. And "Cactus Jack" remained at his apartment along with such characters as Theodore Bilbo and others that must in this day appeal to the gun-fire of race prejudice in their bailiwicks for votes.

In the first place, "Cactus Jack" is not being supported by the President and James A. Farley in spite of what the Gallup poll says. On the other hand the strong arm of labor is ready to strike the steel bludgeon across any of his ambitions. The newly converted from the Republican party, the colored vote, could not be delivered to "Cactus Jack" under any condition or promise. These three factors, the president, labor and the Negro vote, are sufficient.

Mr. Roosevelt made a record during his first term and it was neither hysteria nor a war scare that sent the people down the line for him. He is the first Democratic president to make a record sufficient to stand upon and he is going down the line strong.

It was Easter day and the gospel feast was spread and the invitations were out for the guests, but "Cactus Jack", like one who made excuses of old when invited to a welding feast,—had bought a yoke of oxen and had to go and prove them!

And "Cactus Jack" wouldn't go, and he is not going in 1940.

DISCRIMINATION-1939 D.C. Miss Marian Anderson and the D.A.R.

Note: Excerpts of letter from General George Washington- to Phyllis Wheatley. Advertiser 4-1-39

THE TOLERANT G. WASHINGTON

The Birmingham News remarks that apropos of something ("to be learned a few lines later") let it be recalled by Birmingham citizens that George Washington "set the pattern for many things which we are wont to regard as a part of Americanism."

George Washington, The News recalls, was a Virginia slave-holder. The maintenance of racial distinctions was an every-day habit of his. One day during the Revolutionary War (let Daughters attend) General Washington wrote a notable letter. It was addressed to Phyllis Wheatley, a Negro poet and slave who had won international distinction. Said General Washington in his letter:

Advertiser

If you should ever come to Cambridge or near headquarters, I shall be happy to see a person so favored by the muses, and to whom nature has been so beneficent in her dispensations. I am, with great respect, your humble servant. — George Washington 4-1-39

Now comes The Birmingham News to say, after quoting the foregoing:

"There will soon come to Birmingham Marian Anderson, perhaps the greatest, to date, of Negro singers. Like Phyllis Wheatley, she is endowed with great talents, the cultivation of which through struggle has resulted in bringing to her and her native America much fame.

"The attitude which George Washington took toward a Negro artist of his day, Birmingham can well afford to take now."

Washington Had Colored Guards

R.I. Records Show Father of His County Feared White Poison

By LYDIA T. BROWN

NEWPORT, R.I.—While the Daughters of the American Revolution bar Marian Anderson from singing in their Constitution Hall, records of even the DAR show that George Washington found colored soldiers desirable in his bodyguard.

So great was the jealousy among white generals and other officers during the Revolutionary War, that the forefathers of the now snobbish DAR tried to even poison their commander-in-chief, while he was planning to defend New York City.

Fearing for the safety of his friend, General Nathaniel Greene added to Washington's guard seven Rhode Island colored soldiers.

Daughters Have Record

Colonial records kept by the Historical Society and the DAR unit here, and the papers of Lieutenant Colonel Jeremiah Olney relate that at the end of the fighting in the North, certain soldiers were not eligible for State pay because they were still members of the guard of the commander-in-chief.

The men named were: Davis Brown of Providence; Solomon Dailey, Randall Smith, William Tanner, Ruebin Thompson, Limberick Tillinghast and Cato Varnum, who saved Washington's life at the battle of Germantown, later transferring to Major McPherson's Corps of Messengers.

Cato was the "Black Sampson" of Brandywine fame. A certificate signed by General George Washington and countersigned by Lieutenant Colonel Olney show that Cato Varnum gave five years of honorable service in obtaining the independence of the country which gave him birth only as a slave. Varnum was freed in recognition of his service.

By April, 1777, Frank Eyre, 23, had served eighteen months as an enlisted man in the Continental Army. He continued to the end of the war. One hundred and fifty free colored men and Indians with colored blood served from 1776 throughout the war, in addition to four battalions of the colored regiment from Rhode Island alone.

Throughout the ranks of enlisted soldiers in Colonel John Topham's regiments, in Captain Humphries's company and in Colonel Archibald Crary's forces in 1776, were freedman and slaves.

In 1775, Davis Brown, Bazillia Luce, Job Greene, Oliver Mordock and Lembrick Tillinghast went with the Rhode Island expeditionary forces to the siege of Quebec with the Canadian expedition.

Serving as members of white regiments in the Continental armies from 1776 on were:

Nathan Nash, Samuel Mowry, Joel Heath, Asa Greers, Joseph Demers, Romp Davenport, Constant Cooke, Peter Cowan, Israel Herrington, David Jeaman, Prince Arnold, Samuel Apes, Joab Albro, Benoni Bates, Cato Varnum, Jonas Babcock, Bristol Davis, Hail Child, Mengo Bentley, Frank Eyre, Prince Allen, Prince Thompson, Benoni Seamans, William Pero, Ben Negars, Noles Negress;

Peter Penno, bomber; Cuff Blackman, Isaac Cammetts, Daniel Page, Cato Tillinghast, Ardjo Wilkinson, York Hannabel, Job Hart, Paren Month, Cato Jessups, Prince Walsh, Peleg Watson, Enos Nira, Jehua Quatco, William Shaw, Cæsar Warden, Perserved Wilcox, Zine Zon, Joshua Zacko, Davis Brown, who fought at Red Bank, Monmouth, Trenton, Chads Ford, Princeton, Harlem Heights, Brooklyn, Long Island, with General Greene.

Formed Unit

In 1778, a colored unit was formed; in 1780, colored and white battalions were merged, making a total of 620 men, most of them black.

Whenever the Daughters of the American Revolution turn up their noses at colored people, they are forgetting that their aristocratic forefathers considered colored men valuable brothers in arms.

Birmingham, Ala. News
March 29, 1939

The Country's Father Was A Tolerant Man

Apropos of something (to be learned a few lines later), let it be recalled by Birmingham citizens that George Washington set the pattern for many things which we are wont to regard as a part of Americanism.

George Washington was a Virginia slave-holder. The maintenance of racial distinctions was an every-day habit of his. One day during the Revolutionary War, George Washington wrote a letter. It was addressed to Phyllis Wheatley, a Negro poet and slave who won international fame. The letter read:

If you should ever come to Cambridge, or near headquarters, I shall be happy to see a person so favored by the muses, and to whom nature has been so beneficent in her dispensations. I am, with great respect, your humble servant—George Washington.

There will soon come to Birmingham Marian Anderson, perhaps the greatest, to date, of Negro singers. Like Phyllis Wheatley, she is endowed with great talents, the cultivation of which through struggle has resulted in bringing to her and her native America much fame.

The attitude which George Washington took toward a Negro artist of his day, Birmingham can well afford to take now.

DISCRIMINATION- 1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

Washington, D. C. Post
March 4, 1939

Crowd Sees Officials Lift Ban on Singer



Post Staff Photo.

Part of the crowd which filled a room in the Franklin School Building yesterday to hear the Board of Education rescind its earlier action and vote to permit Marian Anderson, colored singer, use of Central High School auditorium, is shown above. There were two dissenting votes

action when it barred the use of Central High Auditorium to Miss Anderson, following refusal of the D. A. R. to permit her to perform in Constitution Hall.

Prominent citizens throughout the country as well as in Washington sent letters urging continuation of the fight for Miss Anderson to Charles H. Houston, former member of the Board of Education and now legal counsel of the Association for the Advancement of Colored People, who is chairman of the steering committee of the Marian Anderson Citizens' Committee.

Mayor LaGuardia of New York said:

"Needless to say no hall or theater is too good for Marian Anderson, who is without doubt one of the finest and accomplished singers of our time if not of all time."

Secretary of Interior Harold L. Ickes stated that he "hoped the Board of Education would reverse its decision" and permit the singer to appear in the high school.

A petition in the singer's behalf containing more than 3,300 names is in the hands of Houston's committee, he stated. Signatures of many prominent Washingtonians have been obtained. These include Representative Kent Keller (Democrat), of Illinois; the Rev. J. Hillman Hollister, pastor of the Chevy Chase Presbyterian Church, and Wilbur La Roe, of the Washington Federation of Churches.

Meanwhile, the Right Rev. James E. Freeman, bishop of Washington sent a letter condemning the action of the D. A. R. and regretting that the officials in charge of Constitution Hall could not have recognized the "superior talents" of Miss Anderson.

Hall Need Stressed

"This incident makes evident the supreme need of having here in Washington a municipal stadium under auspices of the District of Columbia government," he said.

Officials of the Board of Education refused to make statements until action is taken today by the committee on community use of school buildings, of which C. Melvin Sharpe, newly appointed board member, is chairman.

Mr. Sharpe said last night: "I have been deluged with calls from interested parties of both opinions." Sharpe pointed out that he had been in office only 48 hours, and that the problem was too important and complex to be lightly decided.

An "echo meeting" of the Marian Anderson Citizens' Committee, following the Wednesday meeting of the Board of Education, last night made plans to attend the board meeting. Charles H. Houston, presiding, said Canon Anson Phelps Stokes, of Washington Cathedral

Washington, D. C. Post
March 1, 1939

Rep. Gavagan Calls Anderson Ban Fascistic

D. A. R. Reminded Of 'Colored Patriot's' Role in History

Refusal to lease Constitution Hall for a concert by Marian Anderson, colored contralto, smacks of "Nazi and Fascist philosophy," Representative Joseph A. Gavagan (Democrat), of New York City, charged yesterday.

Gavagan, whose constituency includes part of Harlem, wrote Mrs. Henry A. Robert, president general of the Daughters of the American Revolution, which owns Constitution Hall, "I assume, of course, that the only possible reason for your organization's refusal is Miss Anderson's color."

"Perhaps the purposes and principles of the D. A. R. have changed and today the association is ready to foster and maintain the principles of the Fuehrer and Il Duce," he said. "If this assumption be correct, I suggest that you immediately take all means available to remove from our history books the name of Crispus Attucks. He was a Negro who gave his life in Boston Common that American democracy might live."

Two Dates Open, Manager Says

Meanwhile, in New York City, S. Hurok, Miss Anderson's manager, denied a statement by Mrs. Frank L. Mason, D. A. R. registrar general, that the noted colored singer was banned from Constitution Hall only because it already had been reserved for the National Symphony Orchestra April 9.

"We learned on good authority," Hurok said, "that April 8 and 10 were open to 'white artists.' We applied for either of those dates and were again turned down."

"No comment" was the response of Frederick Hand, manager of the hall, when asked last night whether April 8 and 10 were open dates.

D. A. R. officials, according to the United Press, today will receive by mail a brief but pointed note of resignation from Mrs. Roosevelt, who is reported to have quit in indignation over the Anderson incident.

School Board to Get Protest

Officers of the organization continued to maintain they had no knowledge of the First Lady's withdrawal. "I wish when Mrs. Roosevelt resigns from an organibzation she would give the name," said Mrs. Edith Edwards, assistant secretary to the president general. "It would save this organization and this office a great deal of time and trouble."

More than 1,000 citizens are expected to appear today before the Board of Education meeting at Franklin School to protest the board's refusal to permit Miss Anderson to sing in Central High School auditorium.

Central High P.-T.A. Upholds Anderson Ban

Board Member Studies Protests; D. A. R. Action Explained

The Central High School Parent-Teacher Association yesterday voted opposition to the use of the school auditorium by Marian Anderson, colored contralto, in her proposed recital here.

Mrs. Jessie Baylies, president of the association, said: "Inasmuch as we recognize the existence of the dual system of education in the District, we strongly advocate continuance of this procedure."

The case was reopened Wednesday when the Board of Education decided to reconsider its previous

was expected to appear before the committee.

The Associated Press reported from Denver, Colo., that Mrs. Henry M. Robert, jr., president general of the D. A. R. in elaborating her organization's refusal to permit Miss Anderson the use of the hall said that the rules governing its use are of long standing and have always been in accordance with the custom prevailing in Washington.

Mrs. Robert declined to comment on the reported resignation of Mrs. Roosevelt from the organization in protest of the Anderson affair.

Washington, D. C. Post
March 3, 1939

Question Of Psychology

To the Editor of The Post—Sir:

It is an insult to the singer, as well as to those who admire and respect the great Marian Anderson, that she is not permitted to ennoble Constitution Hall or another large auditorium in the city with her splendid art.

I cannot understand the psychology of any group which preaches "Americanism" and denies by its actions the very truth in which it professes to believe. The Daughters of the American Revolution seem to be such a group. Marian Anderson, of course, is as much an American as any of us, but she differs from most of us in that she can, with her song, make life the glorious and noble experience that we little people, descendants of Revolutionary heroes notwithstanding, are often unable even to imagine

We are only preaching our own smallness in denying Miss Anderson the best that we have to offer.

JOHN ZEIGLER.

Washington, Feb 17.

Says No Code Violated

To the Editor of The Post—Sir:

If the colored singer, Marian Anderson, has been quoted correctly by the Associated Press in this morning's Post, it is just as well that this controversy has been started, because it shows some of the work of agitators that is going on in little suspected places.

The singer is quoted as saying that she is "shocked beyonds words to be barred from the Capital of any country." This is absoutely untrue. She is not barred from the Capital. She can come here and sing all she wants to. There are plenty of places where she can sing. She can pitch a tent and sing. Maybe Mrs. Roosevelt will let her sing on the White House. There is no reason she cannot sing from the Capitol steps. But because she has been refused permission to sing in D. A. R. hall and Central High School the issue is now obscured by the claim that she is barred from the Capital. This issue is different from that of Jersey City. There the privilege of free speech was absolutely denied and Mayor Hague makes no bones about it. But that is not true here no matter what the agitators say about it.

If this singer is the great artist and cultured person all her admirers claim she is, one would think she would not insist on intruding in places where it is obvious she is not wanted. No code of any kind has been violated when the owners of D. A. R. hall exercise their right of ownership in denying the use of their hall to those they do not want in it. The School Board is also within their rights for the same reason. Especially when other places are available. But that is not what the agitators want. They are always on the lookout to force an issue.

The racial question in the District of Columbia is rapidly being forced to a head and the colored people here are being exploited by the very ones who claim to be their friends.

The colored people of Washington need to have set before them some of the advantages they enjoy here. The press, especially, should set before them the necessity of making no move or doing anything that would slow up the good work that is being done for the colored race in Washington. These people who claim to be such lovers of the colored race are not their best friends. They are being deceived and misled by these self-appointed apostles. If the colored people themselves do not soon wake up they are going to find themselves the victims of a lot of selfish exploiters who do not have the real welfare of the colored race at heart.

This is the real motive back of the Marian Anderson agitation; back of the anti-lynching bill; back of the educational agitation and all the other efforts that are being made to bring about enmity and ill-will between the races.

PAUL MERTON.

Washington, Feb. 28.

All communications must carry the writers' name and address, though pen names are permitted at the Editor's discretion. In fairness to other correspondents brevity is requested. Letters are subject to condensation.

What Berkeley Did

To the Editor of The Post—Sir:

Several summers ago while in Berkeley, Calif., a large tea was given in Berkeley's very beautiful International House. The guest artist was Spencer Kennedy, a Negro. His bass voice was superb and he was acclaimed by the numerous guests. Since then he has sung many times on the radio (where his color is not noticeable).

It hardly seems possible that the National Capital should be more provincial than a university in the West. One asks, is it the personality which counts more than the art of the musician? Marian Anderson has a rare voice and possesses artistic interpretation. It is for this reason that her art should be considered foremost.

ISABEL VICKERS.

Washington, Feb. 20.

Praises Mrs. Roosevelt

To the Editor of The Post—Sir:

In her reported resignation from the Society of the Daughters of the American Revolution, because of their refusal to rent their auditorium for a concert by the artist Marian Anderson, Mrs. Roosevelt has once more lived up to her reputation as a great American liberal.

It seems that the sum of $1,750 for the concert by the artist is held to be excessive. This fee is far less than is charged by many American and European artists. There is an element of our population that seeks to keep the colored citizen in economic slavery by paying him as little as possible regardless of the value of his service, and also by charging him the most he can be forced to pay for everything he uses.

The passion displayed by those who would keep the Negro down only testifies to the inferiority complex from which they suffer.

HOWARD D. WOODSON.

Washington, March 1.

Sympathizes With D. A. R.

To the Editor of The Post—Sir:

Some time ago I was in Richmond, Va., and, opening the daily paper, found an editorial urging the people to attend a concert by Marian Anderson. I understand that this singer has had large audiences and flattering treatment in other Southern cities.

Nevertheless, I am rather sympathetic with the attitude of the Daughters of the American Revolution and of the school board in refusing Constitution Hall and the auditorium of Central High School for Marian Anderson's appearance in Washington. The South has evolved a modus vivendi, worked out upon the principle of trial and error, which is resulting in increasingly cordial relations between the races and under which the colored people find not only opportunity for expanding culture within their own social circle, but the advantage of sympathetic attitude upon the part of the majority race.

Here in Washington, organizations ostensibly concerned with the advancement of the colored race are challenging the principle of social separation, and the natural reaction is a defensive attitude, based upon no concessions.

Negroes of discriminating sense should demand that their so-called representatives cease trying to break into white schools and that they should rather lead their own people in a movement to check the vicious colored criminals who range the city, knocking down women, snatching pocketbooks and otherwise engaging in impudence and violence.

ANNIE BELLE MINGLEDORFF.

Washington March 1.

Where Sentiments Lie

To the Editor of The Post—Sir:

Marian Anderson is an exponent of culture. And I refuse to believe that the action of the D. A. R. and the School Board in this celebrated case is a genuine reflection of the sentiments of the people of culture of Washington, as I was born and reared here. I refuse to believe that this action is representative of the sentiments of the Congress or of the President or of the majority of the people of Washington, all of whom the two boards are more or less responsible to.

RICHARD W. GANT.

Washington, Feb. 28.

Surprised By School Board

To the Editor of The Post—Sir:

The D. A. R. building is tax-exempt as are religious and educational institutions. This tax-exemption is granted on the assumption that such institutions are open to the public on equal terms, for all citizens are "equal under law," as the noble United States Supreme Court testifies on its face.

We citizens and taxpayers of the District of Columbia have to pay a higher tax because of all this untaxed "public" property. When, therefore, a singer like Marian Anderson, whom Toscanini says has a voice that is heard only once in a century, is barred, one wonders whether the Daughters of the American Revolution Hall ought not pay taxes because it is only partly public.

There is a case right now being instituted regarding the District of Columbia Bar Library in the courthouse to compel it to move out because it refuses colored lawyers the same right as white lawyers to use it. Taxpayers paid for this building, its heating, lighting and maintenance. Colored people have to pay equal taxes with white folk. They use the public libraries; why not the courthouse bar library? Colored people, human beings and also taxpayers are granted separate but equal schools and colleges, equal representation on the police and firemen's forces as well as clerical governmental positions in the District of Columbia. Why not?

I was not surprised at the D. A. R., which I have always maintained is a private group of elderly ladies who have no other claim to distinction than that they are descendents of some people who did real public service several generations ago. But when the Board of Education prohibited her from the use of a school auditorium, I was dumbfounded. Has our board also gone Nazi? Is it suffering a bad case of Dies-jitters?

ARISTOTLE.

Washington, Feb. 19.

Anderson And Gigli

To the Editor of The Post—Sir:

The refusal of Constitution Hall and a high school auditorium to Marian Anderson is the more deplorable, as each foreign artist is given the possibility to appear there even if he behaves in the most scandalous manner, as has recently the Italian tenor, Gigli. Mr. Gigli has been known as a hater of democracy for many years. Reports from Berlin showed that he used to enter the stage in Berlin with the Nazi salute "Heil Hitler." Having gone back to his native Italy with thousands and thousands of good American dollars, he besmears our country.

To him, as they have done and will do to Nazi artists, the D. A. R. willingly rent their hall, while to one of the greatest living artists, a native of this country, whom every American can be proud of, the hall is refused because her skin is dark. Miss Anderson is not responsible for her color. She has always behaved as a true American, increasing the glory of our country here and abroad. It seems to me tolerance is rapidly losing in our country, influenced by foreign propaganda.

D. L. MILLER.

Alexandria, Va., March 1.

Tampa, Fla. Tribune
February 28, 1939

Mrs. Roosevelt Protests Barring Of Negro Singer

WASHINGTON, Feb. 27.—(U.P.)—Mrs. Franklin D. Roosevelt, Oswald Garrison Villard and Donald Ogden Stewart tonight joined in protesting the banning of Marion Anderson, noted negro singer, from appearing in Washington's principal auditoriums.

Telegrams from Mrs. Roosevelt, Villard and Stewart were read at a mass protest meeting attended by more than 500 persons.

Mrs. Roosevelt wired: "I regret extremely that Washington is to be deprived of hearing Marion Anderson, a great artist."

Villard, editor of the Nation magazine, termed the refusal of the DAR and the school board to permit her to sing in Constitution hall and Central high auditorium, "an outrageous drawing of a color line."

DISCRIMINATION*- 1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

Washington, D. C. Post
March 4, 1939

Anderson School Ban Is Rescinded

School Board Reverses Ruling To Permit Concert Easter Sunday

By Howard F. Wentworth.
Post Staff Writer.

After a heated session, the Board of Education yesterday rescinded its earlier action and voted to permit Marian Anderson, noted colored contralto, to sing in the Central High School Auditorium Easter Sunday.

With two dissenting votes, the board agreed to suspend rules governing Washington's dual (white and colored) school system and the use of school buildings for profit-making enterprises in order to grant permission for the concert.

It was strongly pointed out, however, that in reversing its first decision, the board was in "no way opening the door for the beginning of a new policy."

Not to Be a Precedent

On the basis that the problem of providing Marian Anderson with a place for her concert had reached "emergency" proportions, the board agreed to grant her the use of Central High School providing:

"That positive and definite assurance and agreement will be given that the concession will not be taken as a precedent and that the Board of Education will not in the future again be asked to depart from the principle of a dual system of schools and school facilities."

Yesterday's action was predicated upon a report submitted by the committee on community use of buildings, headed by C. Melvin Sharpe, newly appointed member of the board. After agreeing several days ago to reconsider the Anderson ban, it was to this committee the board turned for recommendations.

Although the Sharpe report—which was adopted by a majority vote—stressed the danger to future policies of the board should Miss Anderson be permitted to sing at Central, it at the same time cited the existing "emergency" and recommended that a concession be made

Governed by Congress

"The committee believes," stated the report, "that a concession now, as proof of good will to Marian Anderson and the colored people of the District, will serve to remove this question from public discussion. We believe, further, that if there are in this question now before us implications that the granting of this request may in the future be construed as a step toward interchangeable use of white and colored schools, then it should be denied. The board is now operating under the law of Congress creating the dual system and only Congress can change it."

Incidents of bitter debate marked the meeting. After Sharpe submitted his report, the committee on community use of buildings adjourned and the board went into immediate session to decide the question.

When the question of future requests for interchangeable use of schools was presented, Charles H. Houston, former member of the board and now legal counsel for the National Association for the Advancement of Colored People, rose and said:

"I want to see Marian Anderson get the Central auditorium—but I want to do it and still keep my self-respect and dignity. I cannot do this and hear the board say it desires to hear no future applications for similar use of school buildings."

At this point, Charles Drayton, a member of the board, who had earlier indicated opposition to a reversed decision by the board, stepped forward with a prepared statement he said "I had hoped not to read."

Asks for Order

As he began his talk by stating he was "friendly to all colored people," a ripple of laughter came from spectators in the crowded room. Drayton paused and addressing Mrs. Henry Grattan Doyle, president of the board, said:

"If there is any more of that, madam chairman, I'll be forced to request the meeting adjourn."

Mrs. Doyle rapped for order and Drayton continued.

"I am satisfied," he said, "that the majority of Washington citizens are opposed to inter-racial use of public schools. If a precedent of this sort is established, the board will lose respect and confidence of the people and bring about its destruction."

He cited the law of dual school operation established by Congress and added:

"The fact that Marian Anderson is a great artist is not enough, in my opinion, to set this precedent."

Reasons Stressed

Although at the final vote, Drayton raised his hand in favor of granting Miss Anderson permission to sing, he stressed numerous reasons why the ban should be maintained. He said:

"The Board of Education has no moral right to go counter to the law setting up the dual system.

"The rights of white citizens to have the law carried out in relation to white schools are entitled to consideration.

"Many white citizens are opposed to this step.

"Rules adopted by the board prohibit use of schools where fees are charged."

Gratz Dunkum, who with Dr. Robert Maurer, a former principal of Central High School, voted against lifting the Anderson ban, urged the board not to rescind its earlier action "for the good of the school system."

"After careful consideration," he said, "I have concluded that our first action was proper and should be sustained for the good of the system. I have never been influenced by prejudices and never will as long as I'm a member of the board. I oppose this move because it is contrary to our rules—and for that reason only."

Attacks Ban Lifting

Just before the board took its action, Houston again rose to his feet, contending:

"We are not dealing with the dual system nor the fact that an enterprise is profit-making—we are dealing with a school building after school hours. The use of this school after hours is the only issue, as I see it."

Henry Gilligan, former member of the board, urged that the ban remain, declaring:

"If this permission is granted, it [illegible] whom I consider a very talented singer."

A storm of protest has descended on the D. A. R. since it announced the ban. Jascha Heifetz, violinist, said yesterday he was ashamed to perform in Constitution Hall, controlled by the D. A. R., in view of the organization's refusal to permit Miss Anderson to sing. Deems Taylor, Dr. Walter Damrosch, Lawrence Tibbett and Geraldine Farrar added their voices to the protests.

From Capitol Hill came messages from the Board of Education urging that Miss Anderson be permitted to sing at Central. The messages were the names of Senators Wagner, Borah, Capper and Van Nuys. The National Urban League also expressed regret that the colored singer had been barred here.

"It will be a sad day for the school system in the District."

Mrs. Philip Sidney Smith, another member of the board, voted to reverse the earlier action, commenting:

"I want to grant permission for a great artist to perform, but I realize the board is charged with a duty to the white residents of Washington as well as the colored."

The motion to suspend the rules and allow Miss Anderson to use Central was made by John A. Wilson, colored member of the board. One of the principal reasons he wanted to see Miss Anderson receive use of the auditorium, he said, was because if she didn't "there are those who would like to start some kind of a campaign and make it more of an issue than it already is."

Hall Refused by D. A. R.

Several spectators in the room clamored to be heard during the stormy session, but Mrs. Doyle refused them permission, explaining the board had voted not to hold another open hearing.

When Miss Anderson first announced intentions of appearing in Washington, she applied for use of Constitution Hall, but was turned down by the D. A. R. The issue grew until Mrs. Roosevelt resigned from the organization because of the ban.

In Sarasota, Fla., yesterday—according to Associated Press reports—Mme. Julia Grant Cantacuzene, of this city, prominent in D. A. R. affairs, offered an explanation which she "hoped would clarify the Marian Anderson situation."

"Rules governing leasing of Constitution Hall," she said, "prohibit renting the building to any colored organization. This is the first time any issue has been made of the policy and it is definitely not a discrimination against Marian Anderson.

BOSTON MASS GLOBE
WEDNESDAY MAR 1 1939

Eleanor and Theodore

Mrs. Roosevelt's championship of Miss Marian Anderson, great Negro contralto, who has practically been denied the right to sing in the capital city of her own nation, brings to mind a happening of some 38 years ago.

Another Roosevelt was in the White House at that time, having been President only a few weeks. One day a terrific storm broke about his head as it became known that he had invited a Negro to dine with him.

The prospective guest was Mr. Booker T. Washington, regarded even then as the foremost American of his race. For years he had been performing notable service through Tuskegee Institute offering education to colored youth. But countless white Americans were shocked at the idea of a person with a black skin sitting at the table in the White House.

Theodore Roosevelt may have been startled, but he was not awed. The dinner came off as planned and no doubt the table talk was informing to both host and guest.

The position taken by Eleanor Roosevelt harmonizes with that of her uncle and, because of what he did, the reaction in her case is more than should be expected in a democracy.

Washington, D. C. Post
March 5, 1939

Forum to Debate On Miss Anderson's Appearance Here

A recommendation that Marian Anderson refuse to sing in Central High School and instead give the Capital an open-air concert, free of charge, "rather than accept the puerile and obnoxious ukase of the District School Board," will be debated at 3 p. m. today in Shiloh Baptist Church, Ninth and P streets northwest, at a meeting of the United Government Employes Forum.

Scheduled speakers are Belford V. Lawson, counsel for the New Negro Alliance; the Rev. R. W. Brooks, pastor of Lincoln Temple Congregational Church; Mrs. Helen Nash, director of the American League for Peace and Democracy, and Thurman L. Dodson, attorney.

After open forum discussion, the group's vote will be conveyed to Miss Anderson and the Howard University Music School, which is sponsoring her appearance here.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH DEFI 61

Richmond, Va., Times-Dispatch
March 4, 1939

Westbrook Pegler

NEW YORK—It takes no very keen nose for fraud to scent the fake in some expressions of indignation which have been heard since the D. A. R. refused to rent its hall in Washington for a recital by a Negro woman singer.

Labor organizations have enforced an exclusion policy against many worthy Americans for years. Some unions have denied Negroes the right to work in certain occupations because they were Negroes and for no other reason. Some have denied white men, as well as Negroes, the right to work in occupations over which the unions have established monopolies.

In one notorious case, a moving picture job trust demands an initiation fee of $1,000 and refuses to accept new members, even though they be able to dig up the extortionate price of a union card without which it is impossible to obtain work and the applicant can prove that he is an artist as well as an American citizen in good standing. I have a citation of a court case in which evidence showed that a union demanded an initiation fee of $3,000, which would make it one of the most expensive and exclusive clubs in the world.

One of the C. I. O. unions, dominated by a Stalinist group of Communists, would, if it had sufficient strength to enforce its program, deny expression to artists in the literary line if they refused to take membership and thereby acquiesce in policies imposed by the Stalinists. Such Americans artists or not, also would have to contribute money to the political program of an organization which they believe to be un-American or anti-American.

I use the word "artist" in a very careless sense. It is hard to say whether or not a writer is an artist, but, for that matter, is singing ever art?

Mrs. Roosevelt resigned from the D. A. R. because by continuing to be a member she would seem to acquiesce in a policy of which she disapproved, to wit, the exclusion of Negro performers from the hall in Washington. In that case she should have resigned from the Democratic Party long ago, and would seem to have established for herself a moral compulsion to do so now. I assume, of course, that Mrs. Roosevelt does belong to the Democratic Party. I have not inquired, but the assumption seems logical and non-actionable.

THE D. A. R. will find among those who ridicule and detest it for this act of exclusion men and women who make a great virtue of their racial tolerance but are guilty of political intolerance equally narrow and vastly more threatening to the rights and independence of American citizens.

Marian Anderson, the victim of a not-too-painful martyrdom in Washington, was excluded from one hall by a ruling which instantly defeated its purpose and made famous a hitherto obscure singer. Even if the D. A. R. persists she will be barred from only that particular hall, and there is something about the D. A. R.'s conduct in the present controversy which gives one to suspect that the sisters may out "last word" Mrs. Roosevelt with an explanation vindicating their position.

But among those who most angrily scold the D. A. R. largely because of its stuffy and reactionary but always patriotic Americanism are some who would bar certain craftsmen or artists from all employment and artistic expression in print for refusing, like Mrs. Roosevelt, to acquiesce in policies which they disapprove.

If the D. A. R.'s action proves to have been correctly reported it will be a pleasure to join in the indorsement of Mrs. Roosevelt's action. But those who do applaud should be compelled to show clean hands in this test which would eliminate some of the loudest members of the Communist claque.

Birmingham Ala. News
March 12, 1939

The concert of Marian Anderson, famous Negro contralto, is almost a month away, yet the advance reservations from all parts of Alabama and adjoining states sets a new high mark, according to the sponsors who expect a standing-room-only audience at the Municipal Auditorium on the evening of April 3 when the great singer makes her first Birmingham appearance. The entire arena will be reserved for white people, and the dress circle, balcony and gallery for Negroes.

* * *

One of the finest "Sidewalk Shows" ever given in the South will be on exhibition in Birmingham during the Spring Festival of Art and Music for which the Birmingham Art Club is making elaborate preparations. Visitors from all parts of Alabama are expected here for the event, according to Mrs. W. W. Harman, president of the local Art Club. A number of the 300 delegates who attended the Southeastern Arts Association meeting here last week have expressed the determination of returning to Birmingham for the Festival of Art

Accept School For Miss Anderson Minus 'Strings'

Committee Says It's Not Bound By "Conditions"

WASHINGTON— (ANP)—Howard university, sponsor of the concert and the Marian Anderson Citizens Committee, which led in the sensational fight for her appearance announced this week acceptance of the Central High School auditorium as the site of Miss Anderson's concert Easter Sunday but stated they would not be bound by the board of education's condition which use of the auditorium was granted.

The board stated Central could be used "only with positive and complete understanding and agreement between all interested parties and the board of education" that never again will there be requested "the use of school buildings for private purposes and private profit" and that there will also be no more requests for the board "to depart from the principle of a dual system of schools and school facilities by asking for the use of a white auditorium by Negroes.

Both Howard and the special citizens' committee told the board they could not concede that the Anderson concert is a commercial venture since the university makes no profit from its concert series operating at an annual loss, and the noted singer reduced her guarantee because of this.

They also pointed out that visiting athletic teams receive guarantees without the affair being termed commercial, and that many "unquestionably commercial" athletic contests and concerts were constantly held in school buildings "without exacting any such promises or agreements."

The board was likewise reminded that dual facilities were for student education" and that the buildings, being public property, were for community use when such use did not interfere with school activities.

"Howard gratefully accepts use of the Central auditorium, but wishes it plainly understood that it in no wise by acceptance agrees to the conditions or implications laid down by the board of education," said the university's concert committee.

The Weekly Watchtower

By L. D. WRIGHT

MISS MARIAN ANDERSON PRAISES ACTION OF MRS. ROOSEVELT

The D.A.R. Should Adopt Another More Appropriate Name'

Miss Marian Anderson, contralto, who is in San Francisco on a concert tour, telegraphed yesterday to her New York agent, S. Hurok expressing appreciation of the action of Mrs. Roosevelt in resigning from the Daughters of the American Revolution.

The message said: "I am not surprised at Mrs. Roosevelt's action because she seemed to me to be one who really comprehends the meaning of democracy. I am shocked beyond words to be barred from the capital of my own country after having appeared in almost every other capital in the world."

The Daughters of the American Revolution by definition inherent in their name, are the descendants of those who fought to make this country free and to establish a government which would hold to certain ideals—ideals which seemed high at the time and which, come to think of it, still seem high.

That fact makes it all the more astonishing that the D.A.R. should have refused to permit Miss Anderson, the distinguished contralto, to give a recital in Constitution Hall Washington, on the evening of April 9.

It happens that the D.A.R. owns the hall and has the technical right to refuse its use to anyone it sees fit. However, there is little wonder that persons of many faiths and many occupations have been delighted to make a vigorous protest.

If such a snub to a Negro singer had occurred somewhere in the deep South, it might have been understandable, although just as regrettable. But to see such a thing in the nation's capital, with the Daughters of the American Revolution the chief culprit, is to use a word of extreme mildness, dismaying.

In the past, on occasion, the D. A. R. has stepped from the sublime to the ridiculous; in the case of Miss Anderson this distinguished old American organization has outdone itself.

Washington D. C. Post
March 8, 1939

Anderson Ban Before Communists

Elizabeth Gurley Flynn, woman labor leader, and Angelo Herndon, colored Communist leader, will speak on the decision of the Board of Education to allow use of Central High auditorium by Marian Anderson, colored singer, at a meeting of the District Communist Party, at 920 U street northwest, Monday night.

Questions include "Is the Marian Anderson decision a victory or a defeat" and "Shall the Negro people accept the Central High School auditorium or shall they reject it as being an insult to the Negro people because of the qualification of the school board that it shall constitute no precedent."

Cordele, Ga. Dispatch
March 6, 1939

COX UPHOLDS DAR

Representative Cox (D-Ga.), upheld the Daughters of the American Revolution, which drew criticism in the capital for refusing to make the organization's auditorium available for a concert by Marian Anderson, Negro singer.

"There are many halls in Washington," the congressman said, "which are suitable for such an occasion. Constitution Hall (DAR auditorium) is wanted because it is a place exclusively for whites. It is simply another effort to advance the Negro in his demand for social equality."

DISCRIMINATION - 1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

Rock Hill, S. C. Herald
March 3, 1939

WHY THIS DISAPPROVAL?

Spartanburg Herald.

Refusal of the Washington chapter of the Daughters of the American Revolution to permit Marian Anderson, negro singer, to appear in concert in Constitution Hall, which is owned by the organization, has created no little comment and the incident made news for the front pages. The resignation of Mrs. Franklin D. Roosevelt from the D. A. R. following the Anderson incident also was news.

Marian Anderson, who has a remarkable contralto voice, has sung in all large cities of the United States and has toured foreign countries. If there was good reason to refuse permission for her to sing in the Washington hall the D. A. R. no doubt will make it public. If there was no valid reason, it seems that a blunder has been committed.

A few years ago Roland Hayes, negro tenor, came to Spartanburg and sang in the Converse College auditorium. He was heard by a crowded house composed of both races of the city. He, too, has appeared before large audiences in every American city of importance and his tours have taken him to foreign lands. The Washington D. A. R. may have refused a permit to Marian Anderson, but we dare say Spartanburg and most every southern city would be delighted to hear her, regardless of the opinion of United States Senator Smith.

Jackson, Miss. News
March 5, 1939

NO COLOR IN ART

The report, apparently well authenticated, that Mrs. Franklin D. Roosevelt has resigned as a member of the Daughters of the American Revolution, is causing a bit of comment throughout the nation.

Mrs. Roosevelt, it is said, resigned, because the D. A. R. committee in custody of the building refused to allow the use of Continental Hall in Washington for the staging of a concert by Marion Anderson, a negress.

If the committee's action was based on the mere fact that Marion Anderson is a negress, then it was not only a silly exhibition of race prejudice but incredibly stupid as well.

Locking the doors of the official home of the D. A. R. against a singer whom the foremost musical critics declare has the most glorious contralto voice in the world is an act of inanity almost impossible to believe.

They accuse us of race prejudice down here in the Deep South, but it is never carried as far as that. We love our negro singers and listen to them with the keenest appreciation. Last year a good-sized audience of Jackson music lovers gathered in the city auditorium to hear a delightful program, "Songs of the Soul," rendered by soloists, choruses and glee club from our negro schools and colleges, and there was no thought of race prejudice or social equality either for that matter.

Lines of race, creed or nationality have no place in the world of music. A great voice is a gift of God no matter the color of the skin of the person who possesses it. The arts, music, sculpture, writing, painting, stand on their own feet. Genius is genius, regardless of by whom possessed. It does so happen that Marion Anderson, despite the hue of her skin, has a voice of such magic beauty that she can charm all hearers, and only fools would deny her the privilege of giving that voice to the world.

If Mrs. Roosevelt did resign from the D. A. R. because she did not approve the asinine attitude of a committee of the organization then she was perfectly within her rights.

Greenwood, S. C. Index-Journal
March 3, 1939

"MUCH ADO ABOUT NOTHING"

From the News and Courier.

About sixty years ago a negro prodigy called "Blind Tom," who had a white manager, was accustomed to "tour" the villages of the South, and his coming was hailed with pleasure by the villagers. The largest hall in the village was available to him, and no one objected to his appearance in it. That was before the D. A. R. was invented. Now we see that Marian Anderson, a colored woman who has a beautiful voice, is denied the use of a hall belonging to the schools of Washington, D. C., and of another belonging to the D. A. R. Were she to come to Charleston we would have pleasure in hearing her sing in any public hall, provided it were not given over for a "race concert." Why this much ado about nothing in Washington? Writing as an old reporter who more than once has reported meetings of negroes in their own halls (including political meetings in their churches) and there been treated courteously by them, we are without sympathy with the "drawing of the color line" against a negro artist who has something worthwhile to offer to white and black people alike—and this we say without budging an inch from insistence upon social separation of the races. No such question is involved in renting a hall to a negro. When the "Southern Welfare Conference" met in Birmingham it was entirely right that the ordinances of Birmingham separating the races in the assembly hall were observed and obeyed, but the hall was not hurt by the attendance of the colored people.

Montgomery, Ala. Advertiser
February 28, 1939

ELEANOR, MARIAN AND THE DAR

The collision between Mrs. Eleanor Roosevelt and the Daughters of the American Revolution over the question of permitting Marian Anderson, eminent American Negro contralto to sing in Constitution Hall in Washington, is a painful episode. It is most regrettable. In her interview with the reporters Mrs. Roosevelt declined to identify the organization from which she had resigned over a question of "policy," but all dispatches make it fairly clear that it was the DAR which she rebuked by resigning from. It is Mrs. Roosevelt's feeling that the organization itself should make its own announcement.

It is known that the DAR recently refused permission for Marian Anderson to give a concert in Constitution Hall April 9, this request having been made of the Daughters because of the need for a larger auditorium. Immediately there was an acrimonious controversy in the columns of Washington newspapers about this decision to exclude from Constitution Hall "the world's greatest singer," an encomium attributed to Toscanini.

"Blind Tom," great pianist, and "Black Patti," great vocal soloist, appeared repeatedly in their day in the white music halls of the Deep South. More recently the famous Tuskegee choir has been in demand before white audiences throughout the Deep South, and the Dawson symphony is as warmly appreciated by Southern whites as by Negroes. Roland Hayes, great tenor soloist, who like Marian Anderson has appeared before the crowned heads of Europe, is as popular in Alabama as in Maine or Yugoslavia. Anderson and Hayes have sung repeatedly in Alabama. They have appeared at Tuskegee and Birmingham and in Montgomery, the first capital of the Confederacy. It is but a few months since that Hayes sang at the city auditorium in Montgomery. Paul Robeson famous baritone, has appeared repeatedly in moving pictures all over the Deep South.

Why there should be any objection to the appearance of Marian Anderson in Constitution Hall at Washington passes all human understanding. She can sing almost anywhere else in Washington, she can sing almost anywhere else in the United States and in Europe.

If as it would appear Mrs. Roosevelt has resigned from the DAR as a protest against this amazing policy, The Advertiser thinks that she has done a courageous and honorable thing.

Greensboro, N. C., Record
March 6, 1939

THE ANDERSON HULLABALOO.

Constitution hall in Washington, D. C., is owned by the Daughters of the American Revolution. The daughters frequently rent the hall for public concerts and other entertainments. Recently, however, they turned down, for one reason or another, a request to rent the hall for a concert by Marian Anderson, talented negro contralto, who has sung, to great popular acclaim, in many of the larger cities of Europe and of her native America.

This refusal has occasioned a great hullabaloo—storms of protest in many parts of the nation. Mrs. F. D. Roosevelt, First Lady of the Land, is reported to have resigned her membership in the D. A. R. because of her disapproval of its action. Other members have followed her lead. Sharp and bitter criticism of the daughters is being voiced in many quarters because of their refusal to accommodate a local Washington organization that wished to sponsor the Anderson concert. The race issue has been raised.

Since they own the hall, it would appear that the daughters are wholly within their rights in saying to what use their auditorium shall be put. The hall, in a sense, is a private institution. It seems a shame that the national capital hasn't a public auditorium in which negro artists, or any other artists for that matter, may give public concerts when they please without having to depend upon the auditorium facilities of various organizations or societies.

If it is true, as many allege, that Marian Anderson is not permitted to use the D. A. R. hall because of the color of her skin, that seems not so good. Still it would seem that the owners of the hall should have a right to say what shall and what shall not go on therein.

Press Comment on the ANDERSON CASE

Duluth (Minn.) Herald

Let the DAR and their school board co-thinkers be instructed that great artistry completely transcends what they interpret to be barriers of race, that great art by its very nature cannot be bound by shackles that loom as important in lesser lives.

Philadelphia Record

Jan Sibelius, Finnish composer and one of the greatest living masters, said when Miss Anderson visited him and sang for him: "My roof is too low."

But to the DAR—and to the Washington School Board—the color of her skin is all-important, the magic of her voice unimportant.

Allentown (Pa.) Call

If the totalitarian countries sneer at this county and jibe us for the recent incident in Washington when the DAR refused the use of their hall for a concert by Marian Anderson, who will there be who will be able to offer adequate defense?

* * *

Monessen (Pa.) Independent

The Daughters of the American Revolution frequently indicate that they have something to learn about the traditions upon which this country was established.

It must be very hard trying to be a patriot in a country whose fundamental principles you mistrust or disbelieve.

* * *

Montgomery Advertiser

"Blind Tom," great pianist, and "Black Patti," great vocal soloist, appeared repeatedly in their day in the white music halls of the Deep South. More recently the famous Tuskegee choir has been in demand before white audiences throughout the Deep South, and the Dawson symphony is as warmly appreciated by Southern whites as by colored persons. Roland Hayes, great tenor soloist, who like Marian Anderson, has appeared before the crowned heads of Europe, is as popular in Alabama as in Maine or Yugoslavia.

* * *

Scranton (Pa.) Times

In the year 1938 the Daughters couldn't see the mine workers holding, in democratic manner, a convention in their Constitution Hall. There was much fussing about it, but no dignified or other explanation, and some unofficial snobbishness.

* * *

Newark (N.J.) Ledger

This is her sin. That she was born black. That she possesses one of the most amazing voices in the world is of no importance. She is black.

* * *

New York Times

It is hard to believe that any patriotic organization in this country would approve of discrimination against so gifted an artist and so fine a person as Miss Anderson. In fact, no organization could do so and still merit the adjective patriotic . . . .

* * *

From It Seems to Me—Heywood Broun

When the Daughters of the American Revolution refused to permit Miss Marian Anderson to give a concert in Constitution Hall it seemed to me one of the most monstrous and stupid things which have occurred in America in years . . . .

* * *

New York Daily Worker

Crispus Attucks was the first American patriot to give his life in the Revolutionary War against British tyranny in 1776.

But in 1939, the DAR, which evidently knows nothing of Attucks and still less of the tree of American democracy which has blood fertilized, bars Marian Anderson, contralto, from their Washington, D.C., auditorium.

* * *

Springfield Daily Republican

The DAR's rule for its Washington auditorium was almost certainly dictated by its own Southern membership even more than by the sentiment of a large part of the population of the national capital.

* * *

From Geraldine Farrar

Your telegram finds me in Florida. Have already expressed opinion to NAACP in favor of our great native talent, Marian Anderson, and am heartily in accord to rescind unjust discrimination ban in her projected concert in Constitution Hall or elsewhere. In our great democracy there is more than ever need to recognize and honor the achievements of our native-born. I am one of Marian Anderson's great admirers.

* * *

From Robert F. Wagner, U.S. Senator (N.Y.)

Public attention throughout the United States has been focused on this issue, and rightly so. For if it is to be confined by racial barriers in our own capital city, then democracy is indeed in danger in America.

* * *

From the Spartanburg (S.C.) Herald

The Washington DAR may have refused a permit to Marian Anderson, but we dare say Spartanburg and most every Southern city would be delighted to hear her, regardless of the opinion of the U.S. Senator Smith.

* * *

Newark (N.J.) Evening News

The Washington School Board is stupid, as some school boards are. The net of this vulgar and degrading situation is that Miss Anderson has not been able to sing in Washington.

* * *

Allentown (Pa.) Morning Call

Mrs. Roosevelt was really very nice about it all, but the hardest blows can be delivered with silk-en-gloved hands, as she indicated in her repudiation of the DAR for discrimination against Marian Anderson, famed singer.

Mrs. Roosevelt, who appears to have made little if any effort to get into the organization and permitting others to establish her genealogical right to membership, also appears not to have been very enthusiastic about it when once admitted to membership.

* * *

From the Hartford (Conn.) Daily Courtant

The attitude of the DAR against Miss Anderson as a colored person makes a mockery of all its efforts to instill patriotism in the newcomers to America. To what good are thousands of dollars spent to inspire a love for democracy in future citizens if they are simultaneously advised that the DAR will not permit them to appear in their hall, no matter how great their achievement, if their skins are not of the right color?

* * *

News and Courier, Charleston, (S.C.)

Were she to come to Charleston we would have pleasure in hearing her sing in any public hall, provided it were not given for a "race concert." Why this much ado about nothing in Washington?

* * *

Trenton (N.J.) State Gazette

In Washington the Daughters of the American Revolution have refused to rent their Constitution Hall to Miss Anderson because of her race. The good ladies seem to be lacking in the spirit of broad tolerance that is traditionally regarded as a fundamental of the American way. In fact, their attitude smacks just a little of Hitlerism.

* * *

Richmond (Va.) Times-Dispatch

Granted the attacks on the DAR were rtaher fierce, the great patriotic organization has placed itself in an unfavorable light by its recent action. It could be suggested that while the members of the DAR are restoring the dwellings of their Revolutionary forebears, they might give some thought to the restoration of their ideals as well.

* * *

Boston Evening Transcript

Since the organization is national and dedicated to the promulgation of patriotic principles, it should, of course, have broken with the jim crow tradition in the capital and made its auditorium available to all artists regardless of color or creed.

* * *

Cleveland Plain Dealer

The evidence supports the comment of Miss Anderson's manager that the Daughters, by this incident, substantiate "the charge, often repeated, that they have not yet begun to understand the true meaning of American democracy."

* * *

From the Hartford (Conn.) Daily Courant

No matter how distinguished, how talented, how meritorious a colored person may be, evidently he or she cannot hope to appear in a hall that, by high irony, is named for the very Constitution that guarantees equal rights to all. Not only does the restriction violate the spirit of the Constitution, but it also denies the principles underlying the Declaration of Independence, with its proclamation that all men are created free and equal, a declaration whose traditions the Daughters ostensibly perpetuate.

* * *

From the Washington Post

The real moral to be drawn from this unfortunate affair, is as we have already noted, the urgent need for a municipal auditorium available to the people of Washington without invidious distinctions of any kind. Making that need more clear was the one constructive aspect of the DAR decision to keep Miss Anderson from singing in Constitution Hall.

Cordele Ga Dispatch
March 7, 1939

MODERN MOLLY PITCHERS

The stand taken by the Washington DAR and upheld by Georgia Congressman Cox in regard to the proposed concert by a negro singer in the DAR auditorium, Constitution Hall, is one which in our opinion is justified.

There was no need for the squabble ever to have started. The DAR officials in Washington were approached by theatrical agents with a request for the use of the hall for a concert by Marian Anderson a distinguished Negro singer. They refused, in a dignified way without offending or causing affront to anyone. They refused as a matter of principle, because their auditorium was, and always had been exclusively for whites, and for them to have done otherwise would have been to set a precedent they did not choose to set. The matter should have dropped there.

There are other and better places in Washington in which the concert could be held There was no call for the forcing of an unpleasant issue, or the disgraceful hullabaloo that has been raised over the matter. The graceful thing for the theatrical agents and whatever Negro organizations were behind the movement would have been to let the matter drop.

Now that the issue has been raised, and the DAR subjected to a great deal of senseless mud-slinging and abuse by those who fancy themselves upholding the rights of the Negro race, we admire the stand they have taken. Like Molly Pitcher they have stuck to their guns.

DISCRIMINATION- 1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

BEST EDITORIAL OF THE WEEK

RALLY FOR RACIAL TOLERANCE

It is encouraging to note the growing public sentiment in our country against racial intolerance, particularly since the outbreak of persecution against the Jews and Catholics in Germany. This brutality to which the German minority and religious groups have been and are being subjected has so shocked the civilized world and sharpened its more humane sensibilities that tolerant people everywhere are beginning to sense more acutely than ever, the exhibitions of injustice and bigotry in their own communities.

The recent undemocratic refusal of the Daughters of the American Revolution to permit the noted Negro contralto, Marian Anderson, to appear in a recital at the D. A. R. Constitutional hall in Washington, D. C., and the subsequent resignation of Mrs. Franklin D. Roosevelt from membership in that organization, have tended to shock the American public into a full realization of the extent to which race prejudice and intolerance are prevalent in our liberty-loving nation, and influential citizens and publications are speaking out against this undemocratic spirit.

Intelligent Americans are beginning to realize that what is happening in Europe can happen here, and they want to avert such a catastrophe.

Much local public interest has been aroused in the approaching lecture to be delivered in Detroit, in interest of racial tolerance and democracy, by the famous writer and speaker, Dorothy Thompson. She will speak at Olympia stadium, Friday, March 17, at 7:30 p. m., under auspices of the Civil Rights Federation.

Miss Thompson was expelled from Germany in 1934 for writing the book, "I Saw Hitler."

In speaking of the injustice to Negroes in the United States, Dr. A. G. Falls, a Chicago physician, declared at a recent interracial rally at Grand Rapids, Michigan, sponsored by the Student Catholic Action Union of that city:

"Citizens of this country cannot decry Hitler's persecution of Jews and Catholics. They cannot say in entire truth, 'It cannot happen here.' It has happened and is even now happening here."

The rally for racial tolerance and democracy is indeed under way all around us, and we believe it will continue to gain momentum, for Americans are at last learning that lynching, racial persecution, and religious intolerance do not pay.

—Detroit Tribune.

Minto, N. D., Journal
THURS., MAR. 23, 1939—WEEKLY

DISCRIMINATION ENDORSED

In annual convention during the past fortnight, state D. A. R. units—Minnesota among the others, endorsed without reservation the stand taken by the Washington, D. C., D. A. R chapter in refusing its auditorium to one of the colored race.

This is most commendable, and as it should be. Racial lines must be drawn for the welfare of all races concerned. Do not confuse the term "races" with "nationalities". A mingling of "nationalities" of the same "race" results in the progressiveness and vigor of that "race"; but "races" and colors should be kept rigidly distinct if we are to preserve human standards.

Many editors have commented on the Washington circumstance, and with opposing opinions.

One writer went so far as to compare the significance of the D. A. R., and School Board refusals to Hitler's expulsion of the Jews, and advises that we remember we are living in a glass house before we throw stones of criticism at the Nazi attitude. This was undoubtedly a satisfactorily sweeping statemsnt that in a measure appeased a momentary peeve. The two cases are not comparable—there is no parallelism in the two instances. We are not mistreating members of the black race; we are not driving them out of our land. nor confiscating their wealth and jewels. We are but insisting that the line of racial demarcation be recognized and not overstepped.

We praise and admire every advancement and achievement made by every member of the black race—and there have been many. We do not disparage them in any line of uplifting endeavor. Through federal law, social service workers and other benefactors, we have made possible for the colored people every opportunity for this uplift and progress. We would see them achieve every splendid thing the white race has accomplished, but do this for and within their own color confines. Only in this way can racial standards become and remain high and clean.

Our unstinted admiration goes to those fine minds and personalities among the black race who have contributed wisdom and beauty to mankind. We exalt the attainments of Phyllis Wheatly, the poet who, in 1761, was an imported slave girl in Boston. The sublimity of her thots and soul refused to be smothered by her station or color; of Paul Lawrence Dunbar also a poet, born in Dayton, Ohio; of Booker T. Washington, a Virginia negro, who became eminent as educator, writer and orator; of Dr. Robert Molton who became Booker Washington's successor as president of the famous Tuskegee Institute; of Charles Wadden Chesnutt, novelist of Cleveland; of W. E. DuBois of Massachusetts who was outstanding as essayist, novelist, magazine writer; of William Braithwaite, poet; of Meta Warrick Fuller, sculptor of New York and many more.

We are glad of all abilities, all opportunities and all achievements that are raising the black race up from slavery; but the barrier of color must not be broken down. The standards of both races demand that.

SENATOR WAGNER AND THE D.A.R.

We were pleased to note through press reports that the name of Senator Robert W. Wagner, Democrat, of New York, is listed among those who have protested publicly against the treatment of Marian Anderson by the Daughters of the American Revolution who refused this singer the use of Constitution Hall for a concert. We express our pleasure in this case because of the power and influence which Senator Wagner exerts in governmental affairs.

In a public statement recently, Senator Wagner, speaking of the Marian Anderson incident, said: "This is the most challenging issue confronting American democracy. The Marian Anderson case is not a local issue—it is a matter of foremost national and international importance. If art can be stifled, and racial lines drawn so tightly in our own capital city, then it would be well for us to ponder the fate of democracy in the United States." 3-31-39

In this statement the Senator characterizes the D.A.R.'s denial of Constitution Hall to Marian Anderson for concert purposes as a challenge to our democracy. With this conception and broad view of the situation it appears to us as though the time is nearly ripe for taking some action against the many undemocratic practices right under the dome of the White House and in the shadow of the great Washington monument. If the words in this case are a sincere expression of Mr. Wagner's feelings, now is the time for him to strike the blow. Surely if we as a nation are to continue to talk about democracy it is certainly high time that we start at home to see that its principles are carried out, and it may be that the best place to strike the blow is in the nation's capital which is governed by the government itself.

DAR Chapter Ducks Vote to Censure Ban on Singer

Philadelphia Bulletin, Philadelphia Pa
Afro-American 3-25-39

NEWARK, N.J. — Assemblywoman Constance W. Hand white, past regent of Jersey's Nova Caesarea D.A.R. Chapter admitted, Sunday, that she had presented a resolution at last week's D.A.R. conference in Trenton condemning the national organization for barring Marian Anderson from Constitution Hall in Washington. Baltimore, Md.

She stated, however, that the resolution was rejected by the resolutions committee and never reached the floor.

Mrs. Hand said that the national DAR action was "definitely not American and against the principles for which the DAR stands." She made the statement while addressing a group at 11 Clinton Place, Sunday night, on "What is Americanism?"

Race Divided On Artist Using Auditorium After Jim Crow Ban

Plaindealer
3-17-39

WASHINGTON BUREAU, Associated Negro Press, Mar. 17—In this city of strange contrasts, where the most magnificent government buildings frown down on the cheapest hovels; where, in a population of cultured, well paid people, there exists a group of people of the same race, just as far removed from the first group as the North Pole is from the South Pole—opinion on the Marian Anderson case has created several schools of widely diversified thought.

There are those who believe that the existence in the nation's capital of open and avowed segregation in governmental offices, should prove that the colored people of the city accept this segregation as their part. These same people believe that Washingtonians have no kick in the Anderson matter, largely because the very school systems of the city are operated on a "jim-crow" basis, camouflaged under the title of "a dual system." That means nothing more than white schools and colored schools.

And that Negroes should expect to throw open the doors of a white school just for this one occasion—and accept the open insults at all other times, seems to be the very opposite of what they are striving to accomplish.

Which is more important, ask these people, the breaking down of segregation in governmental offices where they are employed, or the veneer of the acceptance of the school for the Anderson concert as a palliative?

In a recent meeting, indignant citizens said they would accept the use of the Central High school auditorium, provided the school board would lift the restrictions imposed. Other citizens, just as indignant, declared they would not accept the use of the auditorium under any circumstances. Which leaves the matter hanging in the air as far as the committee is concerned. But, what has the committee of citizens got to do with the proposition when the final decision rests with the music department at Howard University?

Plaindealer
3-17-39

Losing sight of the fact that Howard is sponsoring the concert and not the indignant committees, one is inclined to wonder whether or not Howard will continue to permit others to put the school on the spot with the authorities who control the board of education.

And so Washington—or that part of many-sided Washington which is "protest-minded"—finds itself straining at a gnat and swallowing a camel.

Gastonia N C Gazette
March 27, 1939

TEMPTEST IN THE TEA-POT

(The Uplift.)

Marion Anderson, the Negro singer, would have no trouble in finding a place to give concert if she had been in the South, so to speak. The Southern people know how to meet such problems. There is a tacit understanding between the people of the South and the Negro race. They mingle together in a business way, in the fields, in the homes, in any commercial manner, and afterwards sit on the back-door steps, or in the office of the white man and discuss plans and there is never a suggestion of a social contact.

Frequently different clubs, or church organizations have a program of spirituals by the Negroes—and there is never a misunderstanding as to what to do or where to sit. The entire affair works itself out smoothly. In fact the Southern people like the Negroes, and the black race knows where to turn if trouble arises. The Negroes consider the white man their friend.

Why not give Marion Anderson a place in which to sing, if we go to see a Joe Louis knock out a white man? The general impression is that Marion Anderson has a marvelous voice. Many homes of the aristocracy were privileged to hear Blind Tom, the marvel of the time, play the piano in their homes.

Mrs. Roosevelt Confirms DAR Resignation

Carolina Times
Durham

LOS ANGELES, Mar. 30 (ANP)—Long-awaited confirmation of her reported resignation as a member of the Daughters of the American Revolution came here last Thursday when Mrs. Franklin D. Roosevelt, lecturing before an audience of 2,500 and asked the question: "Do you intend to resign from the DAR," replied: "I have resigned from the DAR."

Mrs. Roosevelt's confirmation was also in answer to a statement made the previous day in Boston by Mrs. Frank L. Mason, DAR registrar general, that the First Lady's resignation had not been received. Several weeks ago the President's wife reportedly withdrew from DAR in protest against that body's action in refusing to permit famed Singer Marian Anderson to appear in recital at Washington's Constitution Hall, which is DAR-owned.

Gastonia N C Gazette
March 28, 1939

28

THE REAL STORY BEHIND MARION ANDERSON

As most of those knew who had read about the hullabaloo, or the tempest in a teapot over the Marion Anderson incident in Washington which brought about the resignation of Mrs. Eleanor Roosevelt from the D. A. R., there was more to the thing than appeared on the surface.

The Gazette, on the occasion of the first announcement of the uproar, guessed that much of the trouble had been started off by the powerful Association for the Advancement of Colored People, headed by Walter White (near-white in color), smart and shrewd mulatto.

It will be recalled that the sponsors of the famous Negro singer tried to get Constitution Hall for her appearance. The Daughters refused to allow this. Then they asked for one of the big Washington high school auditoriums. This was at first refused, and later permission was given. The Negroes took offense at this and indicated their unwillingness to use the hall under those circumstances.

Red Buck Bryant, former Charlotte newspaper man now living in Washington, gives the low down on the issue and, as hinted at above, there is far more to it than the mere matter of a colored woman singing in a D. A. R. hall. Incidentally, she would be allowed to sing in nearly any auditorium in the South. But, hear Mr. Bryant:

Onlookers here believe the real purpose behind the controversy over the hall for Marion Anderson is to foment propaganda for the abolition of the dual school system in the District of Columbia.

Congress has provided that the national capital shall have separate schools for white and colored children. Many cities of the North, East and West permit both races to attend the same schools.

Part of the program of the powerful National Association for the Advancement of Colored People is to wipe out discrimination wherever it exists.

Howard University and other negro institutions here are behind the Anderson drive.

The school board, like a majority of the public service units in the District of Columbia, is not what it should be. In the past it has permitted similar performances to that promised by Marion Anderson. The Negroes called attention to that fact, and had the best of the argument, and won. Public sentiment here seemed to favor them.

But, there is more to the row than the question of an auditorium commensurate with the contralto's standing, and achievements. Washington is in for a showdown on its system of schools and it is believed by many that Mrs. Roosevelt, judging from utterances of the past, would support a movement to send all colors to the same schools. Several months ago she congratulated a New England school board for the appointment of a colored woman to teach in a mixed school. Her influence is widespread and powerful.

In the old days, when the Prohibitionists were riding high, they used the District of Columbia to dry up the nation. Now, the race issue is brewing, and Washington is the center of activities. A determined movement for votes for residents of the national capital has been under way here for several years, but due to the fear of Negro domination at the ballot box it has met with indifferent success. The apprehension is that if the District of Columbia is allowed to vote the colored third of the population will manifest more interest and show up at the polls in greater numbers than the whites; that is not very complimentary to the white people. But that is the argument one hears here.

Two years ago a party of Negro college students went to the House of Representatives restaurant, run for the convenience of members of Congress and their assistants, and demanded food and service. They were barred. That was not just a spasmodic whim of young colored boys but a part of a campaign for advancement.

For his part in that contest, Rep. Lindsay C. Warren, of the first North Carolina district, is on the black list of the Negro leaders. Any mention of his name for a Federal appointment, for which he would have to be accepted by the Senate, brings a protest.

It will be very interesting to watch the South when Congress is asked to eliminate the act providing for a dual system of schools in Washington. Many members of the House and Senate send their children to public schools here. One can guess what congressmen for the North, East and West, who may owe their elections to colored groups in their respective states or districts, will do. With 3,000,000 Negro voters scattered over the states north of the Mason-Dixon line, a majority of them now aligned with the Democratic party organizations, it is no wonder members of Congress introduced the bills for anti-lynching and like bills.

Fifty-nine anti-lynching bills were introduced in the House of the last Congress. Thus far, this year, 20 have been presented. These bills are put in by congressmen who have many colored voters in their district.

DISCRIMINATION - 1939

D.C.

MISS MARIAN ANDERSON AND THE D.A.R.

LEADERS AROUSED OVER MARIAN ANDERSON BAN

In Three Weeks In Washington

WASHINGTON, D. C.—(ANP)—With 50 organizations of both races solidly in accord, a mass protesting to protest against refusal of the Daughters of the American Revolution to permit use of Constitution hall by Marian Anderson and against the board of education for denying use of Central High School auditorium for the concert scheduled for April 9 was held Sunday afternoon at Mount Pleasant Congregational church, with the Rev. John L. Mixon, white, director of the department of social welfare of the Washington Federation of Churches, as chairman.

Various organizations and individuals of both races have been outspoken in their condemnation of the D. A. R. and the school board for barring the noted contralto from use of the only halls big enough to accommodate the anticipated audience.

WHITE WOMAN CRITICIZES

This D. A. R. action furnished ammunition for the organization meeting Wednesday of the descendants of the American revolution, a new lineage society of men and women dedicated to opposing modern "Tories". Mrs. Charles Putnam, white, a founder of the Washington branch of the descendants, criticised the D. A. R. when she said, "a citizen of our country has been denied the use of Constitution hall".

A white organization, the Pleasant Plains Civic association, Tuesday, filed a protest against the school board for its action, accusing Supt. of Schools Frank W. Ballou of "overthrowing many of the finer school policies maintained prior to his administration," and declaring the board's stand "savors of bigotry, hypocrisy and un-Americanism."

WASHINGTON, D. C.—(SNS)— For the second time within a period of three weeks, Marian Anderson, the internationally famous contralto, suffered an official rebuff in Washington, D. C., when the District on Thursday, February 16, barred sponsors of the singer's concert from using the auditorium of Central high school (white) for a scheduled appearance in the nation's capitol April 9.

Miss Anderson had already been denied use of Constitution Hall, the tax-free building owned by the Daughters of the American Revolution on the ground that it was against the rule of the organization to permit colored singers to appear in its auditorium.

QUOTES JIM CROW RULE

Superintendent of Dist. Schools Dr. Frank Ballou and Mrs. Elizabeth K. Peeples, director of the Community Center Department of the D. C. public schools, had ruled earlier that the singer could not be permitted use of the white high school auditorium on the ground that the District's system of dual education did not permit a colored singer to appear in a white school auditorium.

The District of Columbia Board of Education upheld this ruling.

Colonel West A. Hamilton, one of the three colored members on the board, voted against the board's action. Two other colored board members were absent. Mrs Virginia, McGuire, who was absent from the board meeting on account of illness, said she would have voted for Miss Anderson to appear. John Wilson, the third colored board member, left the meeting before a decision was reached.

TERMED 'CONTEMPTIBLE'

In a strongly worded telegram copies of which were sent to Rep. Abrose Kennedy, of Maryland acting chairman of the House District Committee; and Senator William H. King, of Utah, chairman of the Senate District Committee, Walter White, N. A. A. C. P. secretary, termed the education board's action "contemptible."

"Such children discrimination," White said, 'makes ridiculous and hypocritical American protestations against outrages suffered by minorities in Nazi Germany and other parts of the world. We urge you to take whatever action is possible to rebuke school board and require it to change its decision."

THE OLD, OLD STORY

The D. A. R. jimcrowed Miss Marian Anderson's recital so it wasn't given. The press played it. Both parties received much free publicity. Jimcrow got his share also.

We, ofcourse, sympathize with Miss Anderson. She is a proud credit to any race, but in our opinion, too much fuss was made over the affair.

Itwas taken as though it were the shame of the century. Down here in the hot bed of jimcrow tactics, we are quite accustomed to the practice. We meet it hourly about town, on the streets, on the buses, in theaters, and even when we spend our money in the stores. In the last case, no matter how long we have waited for service any white person can step up and make a purchase who cares to enter. We must wait longer. We are denied use of public property—property for which we have sweated and starved in taxes—which is now overlooked. Hence, we are seldom able to sponsor community projects that would benefit the group as a whole. We are simply reminded that no person of color can enjoy such places.

For every Marian Anderson and D. A. R. case there is a hundred. Each town paper could carry one daily. They could be made equally as famous.

Conference With D. A. R. Head Avails Nothing

WASHINGTON, D. C.—Little, if no ground was covered in the D. A. R.-Marian Anderson controversy by the belated conference held with the president-general of the former and representatives of the Marian Anderson Citizens' Committee, it was learned from reliable sources this week.

The conference, promised two months ago when the D. A. R. held its annual convention here shortly following its refusal of Constitution Hall to the committee for a recital by the famous contralto, was held during the last week of May, it was learned, with Mrs. Henry M. Roberts, Jr., president-general, the manager of the hall, and two other members of the D. A. R.

Mrs. Robert was said to have greeted the group courteously, but to have promised them nothing except to report the case to the board of directors of the organization for decision. She requested a brief to be prepared for her, which is in the making by Canon Stokes.

Press reports on the conference have been withheld, it wts explained by officers of the Marian Anderson Citizens' Committee, awaiting a conference of the subcommittee handling the matter. Charles H. Houston, attorney at law, chairman of the whole committee, was absent from the city during the conference and two weeks following, and since his return, has not had chance to call a conference, he said.

Meanwhile, doubt was expressed by those attending the conference, that a victory would be forthcoming. Plans may have to be made to carry out the fight along different lines, it was said.

Meanwhile, a recommendation was made to the local branch of the N. A. A. C. P., at its meeting held last week, that consideration be given to entering suit against the D. A. R. to deprive that organization of its tax privileges. It is at present relieved of paying the regularly required real estate tax on Constitution Hall because of its supposedly public service to the city.

Doors Of Hi School Are Closed

Second Rebuff

DISCRIMINATION- 1939

D.C.
MISS MARIAN ANDERSON AND THE DAUGHTERS OF THE AMERICAN REVOLUTION. (D.A.R.)



By FREDDYE HARPER WILLIAMS

Marian Anderson and The D. A. R.

The ban imposed on Marian Anderson by that body of patriotic American women known as the Daughters of the American Revolution in refusing to allow the now world renown artist use of its Constitution Hall in Washington, reeks of a narrowness that is contrary to the principles of that organization and is in direct violation of the very doctrine of justice for which the American Revolution was fought. It is hard to believe that women having the ideals of such an exclusive group could stoop to an act so small and narrow.

All over the nation protests are going up to the skies, loud in their denunciation of these daughters of the revolution who forgot their creed of democracy long enough to enforce this act of fanaticism, and yet we who have too often felt the sting know that the organization has done no more than perhaps their very censors would do under similar circumstances. While in no way condoning the action of the Daughters of the American Revolution, we don't want our readers to be fooled by many who voice dissatisfaction and disprovement of the action. Every day in every way members of Marian Anderson's race are being subjected to this and more horrible kinds of bigotry, but because they are common people the acts are never brought to the attention of our public.

In this age in America, when we are shrinking in awe of the treatment of Jews in Germany, almost visibly fleeing from the relentless march of the dictator, it is stylish to be called liberal. We preach and prant of democracy as is practiced in America and hold under our very noses such a thing happens in our national capital our country up as a model of freedom and equality to all, and yet only a stone's throw from the building which houses the seat of the American government.

To say that the action of the Daughters of the American Revolution was unfair, unjust, narrow minded and downright contemptuous, would, I am afraid, be putting it rather mildly, but the fact remains that an artist has been hurt because of her racial identity and for no other reason. And while it is refreshing to note the howls of protest, this burnt child feels that they all do not ring true.

The First Lady of our land, in resigning from the D. A. R., has shown her marked disapproval of their censorship. Some criticisms have been voiced to the effect that Mrs. Roosevelt should have stayed in the group and fought this discrimination in the inner side. Be that as it may, there is no more effective manner of demonstrating her disgust at such action than by resigning and this columnist can vision the pink faces of the members of the D. A. R. at losing a woman whose prestige means much to the organization.

Back to the subject of the exclusion: I have been one to preach that no matter what one's color in the light of achievement this factor becomes naught with art being the deciding factor. The recent action of the Daughters of the American Revolution has done almost irreparable damage to my theory. No one can dispute Marian Anderson's position in the world of music. She is truly the world's greatest living contralto. This slim, dark woman of no mean ability has a voice that is a gift to the world of music. Critics here and abroad have been loud in their praises of her. Thus we know that in this case it was not the consideration of art, but of race.

Can it be that democratic America is still holding to the old rule that has become so characteristic of some sections: "We like our 'niggers' but we want them in their place"? It seems that America likes Marian Anderson's music but on their loudspeakers instead of in their Constitution Hall.

In viewing this situation, one of the late James Weldon Johnson's poems, "We To America," comes to my mind. In it the poet asks:

"How would you have us, as we are—
Or sinking 'neath the load we bear?
Our eyes fixed forward on a star—
Or gazing empty at despair?

"Rising or falling? Men or things?
With dragging pace or footsteps fleet?
Strong, willing sinews in your wings?
Or tightening chains about your feet?"

Editorial Of The Week

(From the N. Y. Herald Tribune of February 24, 1939)

The D.A.R. and Miss Anderson

The Daughters of the American Revolution, by definition inherent in their name, are the descendants of those who fought to make this country free and to establish a government which would hold to certain ideals—ideals which seemed high at the time and which, come to think of it, still seem high. That fact makes it all the more astonishing that the D.A.R. should have refused to permit Miss Marian Anderson, the distinguished Negro contralto, to give a recital in Constitution Hall, Washington, on the evening of April 9. It happens that the D.A.R. owns the hall and has the technical right to refuse its use to anyone it sees fit. However, there is little wonder that persons of many faiths and many occupations have been delighted to make a vigorous protest. If such a snub to a Negro singer had occurred somewhere in the deep South, it might have been understandable, although just as regrettable. But to see such a thing in the nation's capital, with the Daughters of the American Revolution the chief culprit, is, to use a word of extreme mildness, dismaying. In the past, on occasion, the D.A.R. has stepped from the sublime to the ridiculous; in the case of Miss Anderson this distinguished old American organization has outdone itself.

Revolt in the D. A. R.

Southwest of the White House grounds, on Washington's Seventeenth Street, is the Ionic-pillared portico that marks Constitution Hall. The property of the D. A. R., its buff and blue auditorium has become a center for the capital's musical life, for at recitals and symphony concerts 4,000 persons can find places in the boxes and tiers of seats. Last week Constitution Hall became a storm center.

The trouble started when the hall was barred to Miss Marian Anderson, Negro contralto, for a concert next April 9. The place had been engaged by others, it was explained. When alternative dates did not fit the hall's schedule any better, race discrimination was charged. Admirers of Miss Anderson, who has been applauded across Europe and America; whose voice, Toscanini has said, is the sort that "occurs once in a hundred years," raised protest. Prominent clergymen and laymen wired to Washington. The press voiced editorial disapproval of the D. A. R.'s attitude. Controversy began to be general.

Mrs. Roosevelt Regrets

It extended to high places when Mrs. Roosevelt, who annually receives the D. A. R. members during their Spring convention, indicated, without saying so in so many words, that she had resigned from the organization because of disapproval of its Constitution Hall policy. In a telegram to a committee supporting the Negro singer, Mrs. Roosevelt declared: "I regret exceedingly that Washington is to be deprived of hearing Marian Anderson, a great artist."

Attempts to obtain a Washington school auditorium for Miss Anderson were at first no more successful than had been the attempt to obtain Constitution Hall. The District of Columbia School Board, finding itself a target, with the D. A. R., for protests against race discrimination, reversed itself and made the Central High School auditorium available to Miss Anderson on April 9, Easter Sunday.

Marion Anderson Gets Permission To Sing

WASHINGTON, March 3.—(AP)—The board of education reversed itself today and voted to permit Marian Anderson, negro contralto, to sing in the Central High school (for white students) auditorium on Easter Sunday.

Before the board's first decision to bar the singer from use of the auditorium, the Daughters of the American Revolution denied her use of their Constitution Hall.

Later, Mrs. Franklin D. Roosevelt told a press conference that she had resigned from a nation-wide organization in a disagreement over policy, but refused to confirm or deny that the organization was the D. A. R.

To Sing In White East Tennessee Hi School

3-9-39

Petition With Knoxville Name 3,000 Names Is Presented Board

WASHINGTON — (SNS) —The Board of Education reversed itself Friday and voted to permit Marian Anderson, noted contralto, to sing in the white Central High School Auditorium on Easter Sunday.

Miss Anderson had been barred from the auditorium following a similar ban from the Constitution Hall, controlled by the Daughters D.A.R. ban developed into a national controversy, with Mrs. Elea- of the American Revolution. The nor Roosevelt, the First Lady, announcing her resignation from a "major organization," said to be the D. A. R. group.

FOLLOWS PROTEST

In reversing itself to permit Miss Anderson's appearance, the board of education followed the desires of thousands of local citizens and national notables, who protested the ban. Hundreds of indignant colored Washingtonians crowded Franklin school Wednesday to hear petitions presented the board, asking that Central High School ban be rescinded. Speakers at this meeting included Attorney Charles Houston, of the N.A.A.C.P.; Sidney Katz, secretary-treasurer of the C. I. O. for this region and many other notables.

Laying the case squarely before the board, Attorney Houston charged that the excuse given in in the argument, denouncing the action of the board and comparing it to the treatmet of Jews and artists of Jewish extraction in

Sidey Katz joined Mr. Houston denying permission to use the hall was obviously a pretext and cited case after case to show that other groups had used the hall of the school for "gainful purses" and no action against them had been taken. He asked if Miss Anderson might give a free concert at the school, pointing out that the stu- m. and that Miss Anderson's re- dents leave the institution at 3 p. cital would not begin until 8 p. m.

3,000 SIGN PETITION

Submitting a petition of 3,000 names Mr. Houston also read a telegram from Senator Henry Cabot Lodge, Republican of Massachusetts urging reconsideration of the case. Germany. He flayed the Daughters of the American Revolution, calling them "old fogies."

From over the nation, repercussions on the case are still being heard. At Berkley, Cal., Dr. Elsie Reed Mitchell, honorary life member of the society, followed in Mrs. Roosevelt's footsteps in announcing her resignation from the group. He said he was "not in accord with the organization's action in the Anderson matter."

ORCHESTRA ASKS BAN

Members of the Philadelphia orchestra which played at the D. A. R. hall, where the first rebuff was given Miss Anderson, said they would ask the American Federation of Musicians to forbid its members to play in the building. C. C. Capell, head of the National Symphony orchestra, said if the request is granted, the National Symphony group would be unable to appear in Washington, since Constitution Hall is the only auditorium sufficiently large.

The liberal Society of the Descendants of the American Revolution, which has asked Mrs. Roosevelt to join it, passed a strong resolution last week, condemning the D. A. R. action. The statement issued by this group, read: "We as Descendants of the American Revolution, rejoice that the First Lady shares the common bond of revolutional ancestry with us. She has stood for principles established on this continent by our forefathers. The Descendants of the American Revolution would welcome her to the organization."

Colored leaders are using the situation to settle once and for all the matter of racial discrimination in public buildings in Washington.

WILSON ON DEFENSE

At the Wednesday meeting, John Wilson, colored member of the board of education which reversed itself Friday, who was severely criticized for leaving the first meeting before a vote on the situation was taken, attempted to justify his action by declaring he had "a previous appointment" which was urgent for him to keep. It was noted at the Wednesday meeting that he concurred with the white member of the board to vote for referral to the committee, while Col. West A. Hamilton, another colored member of the board wanted immediate action at the assembly and sought to have the order rescinded at the same meeting. Col. Hamilton felt that the issue could be settled at that point and defended his motion, which lacked a second, warmly.

The committee on buildings of the education board made the final action in reversing the first decision.

SHAME ON THE D. A. R.!

"The D. A. R.'s un-American, unconstitutional restriction upon Marian Anderson is a plain instance of the charge, often repeated, that they have not yet begun to understand the true meaning of American democracy.

"By her action Mrs. Roosevelt has shown herself to be a woman of courage and excellent taste. I applaud her."

3-3-39

Thus spoke S. Hurok, manager of Marian Anderson in comment on the action of the Daughters of the American Revolution in denying the use of Constitutional Hall in Washington for a concert by the celebrated singer.

Miss Anderson, in San Francisco for a concert, commented on Mrs. Roosevelt's resignation from the D. A. R. as follows:

"I am not surprised at Mrs. Roosevelt's action because she seems to me to be one who really comprehends the true meaning of democracy. I am shocked beyond words to be barred from the capital of my own country after having appeared almost in every other capital of the world."

From what has been said and done in this affair it is easy to see that Mrs. Roosevelt and Miss Anderson emerge as heroines of America's democracy-loving millions. On the other hand the D. A. R. has made happy the heart of Hitler and the hearts of his cohorts here and in all parts of the world.

It is to be hoped that there are enough broad-minded members in the D. A. R. to extricate their organization from the ridiculous position it holds in the minds of all real Americans. Surely the organization is not as reactionary as its blundering officers have made it appear to be by their shameless treatment of our great American singer.

DISCRIMINATION- 1939

WASHINGTON, D.C.
MISS MARIAN ANDERSON AND THE DAUGHTERS OF THE AMERICAN REVOLUTION. (D.A.R.)

Heifetz Says Color Bar Shames Him

WASHINGTON, Feb. 23—With the applause of 6,000 patrons, all white, ringing in his ears last Sunday afternoon, Jascha Heifetz, world-famed violinist, sought the semi-seclusion of his dressing room at Constitution Hall to voice an artist's protest against color discrimination which has barred the hall to Marian Anderson.

"Jascha," beamed one woman admirer, "you played like an angel."

"I was really uncomfortable on that platform," the violinist replied, "uncomfortable to think that in this very hall in which I played has been barred to a great singer because of her race; it made me feel ashamed. I protest, as the entire musical profession protests, against such a sad and deplorable attitude."

Mrs. F.D.R. Quits DAR

WASHINGTON

The nation-wide furor which has grown out of the action of the Daughters of the American Revolution in barring Marian Anderson, noted contralto, from Constitution Hall because of color, took on a new significance this week when Mrs. Franklin D. Roosevelt announced Monday that she had resigned from that body.

The announcement of the First Lady, which came close upon the heels of a monster mass protest meeting in which both white and colored citizens condemned the position taken by the D.A.R. and the Washington school board which also denied Miss Anderson use of a white school auditorium, was made first in Mrs. Roosevelt's syndicated column, "My Day."

Hints at Action

In her column, a feature of the daily press, the First Lady indicated, Monday, what was likely to follow later in the day at her regular press conference.

The column bore a strong suggestion that she was pulling out of the D.A.R., because she was not in sympathy with the barring of Miss Anderson.

The article reads in part:

I have been debating in my mind for some time a question which I have had to debate with myself once or twice before in my life. Usually I have decided differently from the way in which I am deciding now. The question is, if you belong to an organization and disapprove of an action which is typical of a policy should you resign or is it better to work for a changed point of view within the organization? In the past when I was able to work actively in any organization to which I belonged I have usually stayed in until I had at least made a fight and had been defeated.

* * *

Even then I have as a rule accepted my defeat and decided I was wrong or perhaps a little too far ahead of the thinking of the majority at that time. I have found that the thing in which I was interested was done some years later. But in this case I belong to an organization in which I can do no active work. They have taken an action which has been widely talked of in the press. To remain as a member implies approval of that action, and therefore I am resigning.

At her press conference, Mrs. Roosevelt told reporters she was withdrawing from an organization she had joined shortly after entering the White House, but refused to divulge the name of the organization.

She reiterated that it was because she did not wish to be considered in accord with a certain action that had been taken by the organization that she was resigning.

Miss Anderson "Shocked"

"I am not surprised at Mrs. Roosevelt's action because she seems to me to be one who really comprehends the true meaning of democracy," said Miss Anderson when contacted in San Francisco.

"I am shocked beyond words to be barred from the capital of my own country after having appeared almost in every other capital in the world," continued Miss Anderson.

Mrs. F.D.R. Sends Wire

Mrs. Roosevelt was invited to join the ranks of the D.A.R. in 1933, and accepted the invitation.

Prior to the announcement of her resignation, the First Lady had wired a message to a Sunday mass meeting at Lincoln Temple Congregational Church, in which she expressed regret that there was a likelihood Miss Anderson would not be heard in the city of Washington.

Stage Mass Meeting

Close to 2,000 persons jammed the church here on Sunday to join in a mass protest against the barring of Miss Anderson, from Central High School by the board of education.

Headed by the telegram of Mrs. Roosevelt, protestants included:

Oswald Garrison Villard, white, editor and author; Donald Ogden Stewart, white, president of the American Society of Writers; Charles Edward Russell, chairman of the Interracial Committee of the District; James E. Scott, treasurer of the Marian Anderson Citizens' Committee; the Rev. John L. Mixon, white, social welfare director of the Churches; and Dr. Vincent Nicholson, white, of the Society of Friends.

70 Organizations

In all, approximately seventy organizations were represented at the meeting, held under the direction of the Marian Anderson Citizens' Committee. Dr. Charles H. Houston, chairman of the committee, was filling a speaking engagement on the antilynching bill, in Ohio.

Every seat in the church which has a capacity of 1600 was filled and hundreds of others lined the walls and stood in the rear as condemnations were heaped upon the heads of members of the school board which two weeks ago voted to uphold the Community Center Department's ban on Miss Anderson.

6,000 Signatures

The affair resulted in the unanimous signing of a petition which will be presented to the board of education, Wednesday of this week.

By affixing their names to the petition, those in attendance increased the number of signers to more than 6,000. It was indicated, however, that this was only about one-third of the number of names sponsors hope to get.

The meeting adopted a resolution deploring Washington's "reputation for civic and cultural backwardness" and petitioning Congress for a municipal auditorium. This auditorium would be "without restrictions as to race, religious faith or political belief either in the granting of use of the building to sponsors or in seating arrangements," the resolution declared.

Outlines Facts

Facts to be considered by the mass meeting were explained by Dr. Doxey A. Wilkerson, Howard University professor and representative of the National Negro Congress, who said Miss Anderson had outgrown the Armstrong High School auditorium, that the Rialto Theatre had not been available and that the use of Constitution Hall and the auditorium of the Central High School had been denied "purely on racial grounds."

No Space Available

The National Theatre and the Belasco Theatre, he said, are tentatively available for the presentation of Miss Anderson on April 9, but cannot be contracted for definitely until two weeks before the appearance.

"In this matter," he said, "we must not believe there has been any issue of commercialism or profit-making but solely one of a cultural presentation and its denial on the basis of intolerance.

"We must note also that if it is legal to present a white artist in Armstrong High School for a considerable fee, as was done recently, before a mixed audience, then it is equally legal to present a colored artist in the auditorium of a white school before a similar audience."

Foreman Speaks

Clark Foreman, nephew of the editor of the Atlanta Constitution, said:

"It is strange that people of the District of Columbia can get more excited about things happening in other countries than in those which happen here. There may be an economic basis for intolerance against the Jew in Germany but we have no such basis for intolerance against the Negro here."

J. M. Nabrit of the Howard University school of law set forth that Constitution Hall was not a tax exempt building as popularly supposed but that it had applied for exemption which had been refused.

He stated, however, that it had been able to name its own rate of taxation amounting to a tax of $3,670 on a valuation slightly over $15,000. The hall, he said, should properly be assessed at $40,775, and the tax should be about $11,000.

Calls It Snobbery

Dr. Russell declared "snobbery is at the bottom of this whole Marian Anderson matter. The great American snob has had his innings in this case, having had the hardihood to do the deed, but not the courage to admit the snobbery, drawing the red herring of legal sophistry across the trail."

Among other speakers were the Rev. R. W. Brooks, pastor of the church at which the meeting was held, and Elder Lightfoot Solomon Michaux.

The D.A.R. and Miss Anderson

From the New York Herald Tribune,
February 24, 1939

The Daughters of the American Revolution, by definition inherent in their name, are the descendants of those who fought to make this country free and to establish a government which would hold to certain ideals—ideals which seemed high at the time and which, come to think of it, still seem high. That fact makes it all the more astonishing that the D.A.R. should have refused to permit Miss Marian Anderson, the distinguished colored contralto, to give a recital in Constitution Hall, Washington, on the evening of April 9. It happens that the D.A.R. owns the hall and has the technical right to refuse its use to any one it sees fit. However, there is little wonder that persons of many faiths and many occupations have been delighted to make a vigorous protest. If such a snub to a colored singer had occurred somewhere in the deep South, it might have been understandable, although just as regrettable. But to see such a thing in the nation's capital, with the Daughters of the American Revolution the chief culprit, is, to use a word of extreme mildness, dismaying.



MARIAN ANDERSON

In the past, on occasion, the D.A.R. has stepped from the sublime to the ridiculous; in the case of Miss Anderson this distinguished organization has outdone itself.

Bravo, Mrs. Roosevelt

IN THE DETERMINED and fearless stand taken by Mrs. Eleanor Roosevelt, wherein she severed her connection with the Daughters of the American Revolution following that organization's denial to Marian Anderson, internationally noted singer, use of their Constitution Hall, in the city of Washington, the highly earnest and popular wife of the President of our United States, amply justifies the high place she holds in our "land of the free and home of the brave."

The action of Mrs. Roosevelt in stepping out of the important organization, because, as she writes, "to remain there will cause it to appear that I sanction such an unjust attitude," will do much toward discouraging injustices in all activities throughout our nation.

It is thoroughly plain to leaders of affairs both in public and private life, that petty discriminatory tactics only lead to strife-breeding, which if tolerated and encouraged, are certain to assume alarming proportions. The intolerance and persecuting methods of Hitler in Germany as he wages his tyranny of Nazism are no more to be denounced as unjust than the unnecessary prejudicial thrusts as directed at the talented Negro artist by the Washington organization.

Truly Mrs. Roosevelt is deserving of the plaudits of all fair-minded people in her fearless and outspoken advocacy of right and justice toward all men.

Famous concert artists, writers, and liberals of all nationalites joined in condemning the action of the D.A.R.

Anderson Case at a Glance

Marian Anderson was barred from the Constitution Hall controlled by the Daughters of the American Revolution because of color.

The Washington School board also barred Miss Anderson from the Central High School because colored people reputedly cannot use white school facilities.

Mass protests were staged throughout the city by the Washington Inter-racial Commission and other organizations.

A protest containing 20,000 names condemning the action of the school board will be presented to that body at their next session.

Mrs. Franklin D. Roosevelt, First Lady, announced her intention to resign from the D.A.R., because she objected to the policy of that organization.

Miss Anderson, whose $2,000 guarantee was made one of the factors upon which the school board denied her the use of a school building, waived her fee and offered to sing in Washington free in front of Constitution Hall.

SAYS D.A.R. DISGRACE TO AMERICAN IDEALS

Eugene Kinckle Jones Writes Strong Protest Against Barring Marian Anderson From Constitution Hall in Washington, D.C

NEW YORK, N. Y.—The action of the Daughters of the American Revolution in barring Marian Anderson from Constitution Hall in Washington is inexcusable, and puts America to shame before the world, Eugene Kinckle Jones, executive secretary of the National Urban League, said in a letter sent recently to Mrs. Henry M. Robert, Jr., President General of the D. A. R.

"I have read with surprise and real disappointment of the action of the Daughters of the American Revolution in denying to Miss Marian Anderson the privilege of singing in Constitution Hall," Mr. Jones wrote. "Of all the organizations in our country which claim that they defend our American institutions and our democratic ideals, the Daughters of the American Revolution should be in the forefront. But, alas, it has failed to stand the test, and, in this particular instance, has placed itself on record as opposed to, rather than favorable to, the firm establishment of justice, equity, and right in human affairs.

"The Negro is the real test of our American democracy, for being the weakest and most disadvantaged of our population segments, the granting of this group of true opportunity for development places the genuine stamp of reality on the experiment in good government which was launched on our shores in 1776. Here we have, in the case of Miss Anderson, the greatest possible development in a human being, not only in America but throughout the world, in a great cultural sphere. It is true that she has a dark skin which is no disgrace, but her attainments which are the measure of human achievement are, in her own field, unsurpassed by any living artist.

"The action of the Daughters of the American Revolution is inexcusable, and puts America to shame before the world. You can in a measure assuage this shame by rescinding the resolution which makes it impossible for one of African descent to have free and unchallenged right to the use of Constitution Hall. Even if you went so far as to state that only those people who are descendants of participants in the war of the Revolution can have this privilege, Negroes would qualify, for their forefathers fought at Bunker Hill and at Valley Forge, and one of their fellow race members shed the first blood for American independence on Boston Common, in the person of Crispus Attucks.

"Eugene Kinckle Jones,
Executive Secretary,
National Urban League"

Columbia, S. C. State
March 3, 1939

A BREAK FOR THE NEGROES.

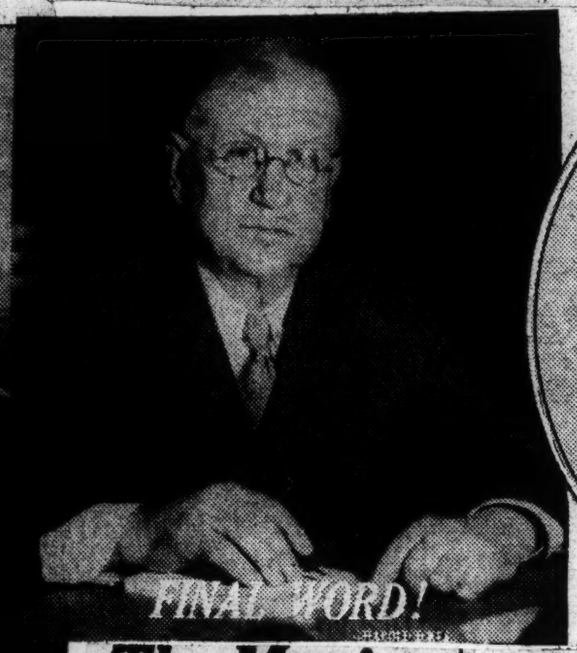
The Negro race clearly is the winner in that unfortunate and foolish Washington episode. Marion Anderson, one of the greatest of singers, should as a matter of ordinary common sense and justice have been allowed the right to rent a suitable public hall in the nation's capital for her concert. When this right was denied her, public sentiment naturally was stirred against those who denied it. If Marion Anderson had arranged a concert in Columbia, The State believes she would have had no trouble whatever in leasing a suitable auditorium. Great Negro artists in the past have found Southern communities both sensible and appreciative.

DISCRIMINATION-1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

THANK GOD . . . FOR THESE . . . REAL AMERICANS!









The Marian Anderson Concert

From The New York Times

On the terrace crowned by the temple-like Lincoln Memorial at Washington a free Easter concert will be given next Sunday by Marian Anderson, Negro contralto.

The voice that has been called "the rarest of the time" will sing classic lieder and spirituals against the backdrop of Doric columns behind which broods the gaunt giant marble figure of the Great Emancipator.

Permission of the concert, the first ever to be held at the memorial, was granted last week by Secretary of Interior Harold Ickes, who supervises the national parks.

It was his final word in a controversy that began last January when the National Society of the Daughters of the American Revolution denied Miss Anderson the use of its Constitution Hall for an Easter Concert. The D. A. R. asserted that the hall was previously engaged, but Negro groups charged racial discrimination.

Mr. Ickes wrote to the society asking if "such astounding discrimination against equal rights" had been practiced. Several weeks later Mrs. Henry M. Robert, Jr., D. A. R., president-general, declared publicly that Constitution Hall was leased in accordance with rules governing most capital theatres, hotels and restaurants, calling for special meeting places for whites and Negroes.

In protest against Miss Anderson's treatment, Mrs. Franklin D. Roosevelt, resigned from the D. A. R. and indignation was voiced by civic, social and religious groups. Fresh fuel was added by the District of Columbia School Board, which first denied, then granted permission (on condition that it would not set a precedent) for Miss Anderson to hold the concert in a high school for whites.

Singing in the shadow of the Lincoln Memorial will be a new experience for Miss Anderson. Born in Philadelphia, first trained in a Baptist choir, recognized as an artist in this country, the contralto has also toured Europe from London to Tilflis, winning acclaim from kings and queens, archbishops and maestros, and music-lovers everywhere.

Pictured above is the temple-like Lincoln Memorial, in Washington, D. C., where Marian Anderson, world-renowned contralto, will give a "free" concert Easter Sunday afternoon. Turned down by the National Society of the Daughters of the American Revolution when a request was made for use of Constitution Hall, Secretary of the Interior Harold Ickes (left) granted permission to use the Memorial for the concert, the first ever to be held in this sacred place. Mrs. Eleanor Roosevelt, gracious "First Lady," promptly resigned from the D.A.R. when their attitude on the Anderson affair became known. Her action made the incident "front page" news in dailies.

THE ANDERSON CASE

Progressive America is learning. It is becoming ever more alert. It is beginning to understand that every event can and must be solved in a progressive and democratic way, or that it will be settled in a reactionary manner. This is a vitally important thing to understand.

A Marian Anderson Citizens Committee has been created. Under this committee's auspices, Marian Anderson will sing free at the open-air concert at the Lincoln Memorial in Washington. The attempt of the DAR to insult a great woman and her people and flout American democracy has become a boomerang.

This is a democratic and American answer to a beastly, un-American gesture. This is the way to fight reaction, and reaction must be fought. But steps should immediately be taken to see that jim-crowism and segregation are wiped out in the capital of the United States.

The Anderson case can be the start-

REASONS CITED FOR D. A. R. RULES

Prejudice Is Denied In Refusal Of Hall To Negro Singer

WASHINGTON, April 18—(AP)—Daughters of the American Revolution warmly applauded their president general, Mrs. Henry M. Robert, Jr., Tuesday when she presented the D. A. R. side of the Marian Anderson controversy.

Denying that "prejudice, personality or discrimination" influenced the D. A. R. management board's decision not to let the Negro singer give a concert in Constitution Hall on Easter Sunday, she said the decision was rooted in District of Columbia customs.

Without mentioning the singer, or Mrs. Franklin D. Roosevelt, whose resignation from the D. A. R. drew much attention to the controversy, she listed these reasons for refusing the concert:

1. The hall was engaged for the afternoon of the date when a night appearance was asked and rules forbid rival musical attractions at the hall on the same day.

2. A rule was adopted more than seven years ago "because of unpleasant experiences in attempting to go contrary to conditions and customs existing in the District of Columbia." She did not outline the rule but apparently referred to one restricting use of the building by Negro artists.

3. An exception to the rule would have been in violation of "signed agreements and customs for all similar properties in Washington" and would have opened the society to legal responsibility for violation of its own agreements with concert bureaus regularly using the hall.

4. An exception for the musical event would have meant that the society retreated "under fire of widely scattered groups and organizations many of whom knew nothing of the facts and whose interest had nothing to do with the real question.'

Mrs. Robert said agitation had begun and the society had been charged with bad faith before any request for an exception to the rule had been made to the D. A. R. board.

"When independence of action is threatened," she declared, "there can be no surrender."

Eight times during Mrs. Robert's 1,300-word review of the Anderson incident, delegates and members attending the opening session of the forty-eighth congress applauded. At the close there was long standing applause.

Although no action was expected regarding Mrs. Robert's statement it was a lively topic of conversation at state society meetings later in the afternoon and at the president general's reception Tuesday night.

Meanwhile, Mrs. Robert's office acknowledged receipt of a request for a hearing made by the Marian Anderson Citizen's Committee here. The committee, which asked a chance to change the D. A. R.'s mind on its restriction against Negro artists, was told the matter would be considered as soon as possible.

Miss Anderson's Concert

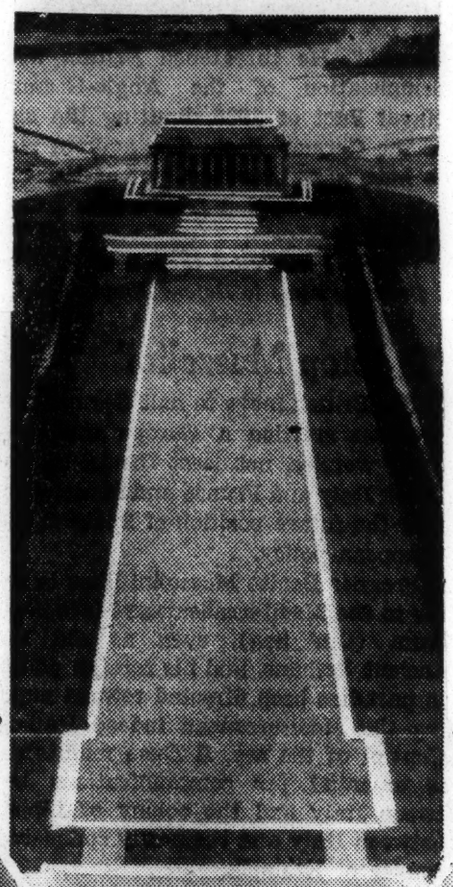
On the terrace crowned by the temple-like Lincoln Memorial at Washington a free Easter concert will be given next Sunday by Marian Anderson, Negro contralto. The voice that has been called "the rarest of the time" will sing classic lieder and spirituals against the backdrop of Doric columns behind which broods the gaunt giant marble figure of the Great Emancipator.

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Mr. Ickes wrote to the society, asking if "such astounding discrimination against equal rights" had been practiced. Several weeks later Mrs. Henry M. Robert Jr., D. A. R. president-general, declared publicly that Constitution Hall was leased in accordance with rules governing most capital theatres, hotels and restaurants, calling for special meeting places for whites and Negroes. In protest against Miss Anderson's treatment, Mrs. Franklin D. Roosevelt resigned from the D. A. R. and indignation was voiced by civic, social and religious groups. Fresh fuel was added by the District of Columbia School Board, which first denied, then granted permission (on condition that it would not set a precedent) for Miss Anderson to hold the concert in a high school for whites.

Singing in the shadow of the Lincoln Memorial will be a new experience for Miss Anderson. Born in Philadelphia, first trained in a Baptist choir, recognized as an artist in this country, the contralto has also toured Europe from London to Tiflis, winning acclaim from kings and queens, archbishops and maestros, and music-lovers everywhere.

SHE'LL SING AT EASTER







Secretary Ickes has given his permission for Marian Anderson to hold a free Easter concert at the Lincoln Memorial. The Negro contralto failed to obtain a capital hall.

Times Wide World, Nesmith and Delas

DISCRIMINATION- 1939

D.C.

MISS MARIAN ANDERSON AND THE D.A.R.

MARIAN ANDERSON

MARIAN ANDERSON, the internationally famous coloratura soprano, will sing in Washington, D. C., at 5 p. m., Easter Sunday, following announcement made by her management that if she were denied the use of a suitable auditorium she would sing in the open air at a free concert.

Denied the use of both the D. A. R.'s Constitution Hall and the Central High School (white) auditorium because of racial restrictions, Miss Anderson will give her concert in the nation's capital under auspices never enjoyed before by a singer of any race nor under circumstances so highly advertised. Already a person whose name made news, Miss Anderson has occupied more front-page and editorial space in the past month in the nation's press than any Negro. And the publicity was the type which reflected nothing but credit on her and which could not have been bought at any price.

On Thursday, Secretary of the Interior Harold L. Ickes announced the fact that Miss Anderson would give her concert in the open air, free to the public and held at the Abraham Lincoln Memorial which is under the jurisdiction of the National Park Service of the Department of the Interior. Her half-hour concert will be broadcast over the national networks and it is expected that between 50,000 and 100,000 persons will attend the concert. Secretary Ickes granted use of the grounds on the request made by Howard University and interested citizens of Washington saying: "This seems to me to be a good use of the public facilities".

Congresswoman Caroline O'Day of New York has issued invitations to more than forty persons, including Mrs. Franklin D. Roosevelt who resigned from the D. A. R. in protest against that organization's refusal to grant Miss Anderson use of its hall, to act as sponsors for the concert. And the list of names includes high government officials and persons prominent in local and national life.

With the United States government as an interested party in this controversy and granting us of its facilities for Miss Anderson's broadcast, we await the outcome of the fight against racial bans in D. C. Representative James P. McGranery of Pennsylvania has announced that he intends to introduce a resolution in Congress demanding an investigation into the District of Columbia school board's refusal to allow Miss Anderson to sing in the white high school auditorium.

In the capital of the country which set her race free, Marian Anderson, the Negro contralto, is denied the use of Constitution Hall, owned by the Daughters of the American Revolution, and of Central High School Auditorium, owned by the City of Washington. But in Birmingham, Ala., in the heart of the land where her people once were slaves, Marian Anderson will sing this Monday at the Municipal Auditorium to an audience of white people and black people—and nobody thinks anything of it. It must be hard for foreigners to understand the United States of America, its races, regions and reasonings.

JUSTICE BLACK JOINS SPONSORS OF SINGER

By United Press.

WASHINGTON, April 5.—The names of Associate Justice Hugo Black of the Supreme Court, Secretary of the Navy Claude A. Swanson, and Orchestra Conductor Leopold Stokowski were added today to the sponsors of the Easter Sunday concert of Negro Contralto Marian Anderson.

The Marian Anderson Citizens Committee, which arranged the free open-air concert at the Lincoln Memorial after the singer was denied the use of two Washington auditoriums, announced the acceptance of invitations issued by Rep. Caroline O'Day (D., N. Y.) Miss O'Day is a member of the arrangements committee.

Chief Justice Charles Evans Hughes of the Supreme Court and Mrs. Hughes already have agreed to be sponsors.

Clapper's Letter

By RAYMOND CLAPPER

(Copyright, United Feature Syndicate)

WASHINGTON, April 7.—Out of the narrowminded mixture of red tape and prejudice which has kept Marian Anderson, the great Negro contralto, from the concert stage in this capital of democracy is growing as if with divine justice one of the most notable tributes of recognition ever accorded a member of this long-suffering race.

She wasn't allowed to sing in the D. A. R. hall nor in the public school auditoriums. But on Easter Sunday she will sing at the foot of the noble statue of the emancipator of her race, on the steps of Lincoln Memorial. Her audience will number millions of high and low. Chief Justice Hughes, and Associate Justice Black, who was charged with membership in the klan, have accepted places of honor on the Lincoln Memorial steps to hear her sing. Vice-President Garner has been invited to be present but had not, up to this writing, accepted the invitation. However, many other officials will be present. Thousands of negroes will come from cities throughout the East in pilgrimage for the occasion. The three radio networks will broadcast her voice.

Thus through the actions which denied America's own Marian Anderson the ordinary concert stages here available at fancy prices to a steady procession of foreign artists, her voice will now be heard by millions who otherwise might have lived out their lives without ever having heard her.

* * * *

The nice people who found rules to deny her the hearing that Russians, Germans, Italians, Poles, Jews and all other races of the earth receive on the concert stage in Washington, have unwittingly played into the hands of the professional organizations of negroes. Walter White, secretary of the National Association for the Advancement of Colored People, the chief lobbyist for the Negro cause, who when in Washington stays at one of the most socially correct hotels, is taking full advantage of the incident to develop race pride. His organization is encouraging Negroes to make the Easter Sunday pilgrimage here.

* * * *

But the affair has become much larger than Walter White and his organization for the advancement of Negro rights. The administration here has seized upon the affair to demonstrate the tolerance which it is felt properly belongs in a democratic nation.

The idea for having Marian Anderson sing on the steps of the Lincoln Memorial came from a Southern-born administration official, Oscar Chapman, assistant secretary of the Interior. He sold the idea to his chief, Secretary Ickes. The White House is sympathetic, Mrs. Roosevelt having brought the whole affair to national attention by her resignation of protest from the D. A. R.

Chapman's idea of using the Lincoln Memorial grew out of an incident in his childhood. He was born in Virginia, and as a lad in grade school had a stern lesson in intolerance. His eight-grade graduating class had a small fund and wished to give a present to the school. He bought a picture of Lincoln. His teacher was tolerant and accepted the gift.

But when the children carried word home to their parents, and the news got around, the school board was in a rage. The picture was ordered taken down. Oscar was suspended, but through the intercession of a Methodist Sunday School superintendent who was for that reason allowed on the school board although a Republican, he was restored to class. Bewildered by the angry feelings aroused in the school board, Oscar began to ask questions. From that time he has taken the side of tolerance in every showdown that has come his way.

* * * *

What does the color of Marian Anderson's skin have to do with her ability as an artist? What is the difference between the Nazis driving opera singers off the stage because they are Jewish, and Americans in Washington closing their concert halls to a recognized artist because she is of the Negro race? The difference is this: We don't expect anything better in Germany now. But in Washington we have a shrine for Abraham Lincoln. In the long run, we can be proud that this shrine has been made available for this Easter Sunday gesture of race tolerance. It's the principle of the thing, and it won't even matter much if Marian turns up with laryngitis.

Charleston S. C. News & Courier
March 28, 1939

Start a Subscription

"The dispute over providing a hall for a concert by Marian Anderson, negro singer, 'is the most challenging issue confronting American democracy', said Senator Wagner, a dispatch from Washington reports.

The way to meet this challenge is for Senator Wagner to start a subscription to build in Washington a hall for the exclusive use of Marian Anderson. The News and Courier would subscribe.

Montgomery Ala Advertiser
April 8, 1939

Clapper's Letter

By RAYMOND CLAPPER

(Copyright, United Feature Syndicate)

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SCHOOL BAN STANDS ON MISS ANDERSON

Washington Board Insists on Condition, Rejected for Singer

Special to THE NEW YORK TIMES.

WASHINGTON, March 20.—The compromise offer of the Central High School auditorium for the proposed concert here on April 9 by Marian Anderson, Negro contralto, has failed of acceptance, and the concert committee of Howard University aagin is exploring the limited facilities of the capital with a vew to making other arrangements for Miss Anderson's recital.

The Board of Education voted March 3 to recede from its previous negative decision and permit use of the school hall on the "positive and definite assurance and agreement that the concession will not be taken as a precedent and that the board will not in future be asked to depart from the principle of a dual system of schools and school facilities."

This offer the concert committee accepted on March 5, with the stipulation that it "in nowise agreed to the conditions or implications" of the board's statement.

"I have no authority to issue a permit except on the basis of the conditions set up by the board," Dr. Frank Ballou, Superintendent of Schools, wrote on March 17 to Charles Cohen, chairman of the concert committee.

"In view of your declination to accept the conditions laid down by the board under which it was understood such a permit would be issued, the responsibility for making the Central High School auditorium unavailable for the concert of Miss Marian Anderson on April 9 must be assumed by you and your associates of Howard University."

Sol Hurok, Miss Anderson's concert manager, said yesterday that the Washington Board of Education was "manipulating a variety of smoke screens to conceal its original impulses" in refusing use of a school auditorium for her concert.

Mr. Hurok confirmed his plan to present Miss Anderson in a free outdoor concert in Washington on April 9, provided action in Congress had not secured a public hall for her. He said the outdoor concert would be held in front of the Lincoln Memorial "as a rebuke to all who have snubbed the Negro singer."

Sponsors Marian Anderson

Special to THE NEW YORK TIMES.

WASHINGTON, April 5.—Mrs. Franklin D. Roosevelt will be one of the sponsors of the concert to be given on the steps of the Lincoln Memorial on Easter Sunday by Marian Anderson, Negro contralto. She informed the Citizens Committee by telephone from Seattle that she would make every effore to be present.

ENDS BAN ON NEGRO SINGER

Capital Board to Permit Marian Anderson to Use School Hall

WASHINGTON, March 3 (AP).—The Board of Education reversed itself today and voted to permit Marian Anderson, Negro contralto, to sing in the Central High School auditorium on Easter Sunday.

Before the board's first decision to bar the singer from use of the auditorium, the Daughters of the American Revolution denied her the use of their Constitution Hall.

Later, Mrs. Franklin D. Roosevelt told a press conference that she had resigned from a nation-wide organization in a disagreement over policy, but refused to confirm or deny that the organization was the D. A. R.

ICKES TAXES D. A. R. ON BARRING SINGER

Asks Whether Ban on Marian Anderson Is Based on Old Rule

Special to THE NEW YORK TIMES.

WASHINGTON, March 2.—Secretary Ickes revealed today that he wrote more than a month ago to Mrs. Henry M. Robert Jr., president general of the Daughters of the American Revolution, inquiring whether the refusal of Constitution Hall for a recital by Marian Anderson, Negro contralto, was based on regulations prohibiting the use of the hall to Negro artists, a discrimination which he characterized as "astounding."

He said he had been so informed by Dr. Mordecai Johnson, president of Howard University, who had sought in vain to rent the hall on Easter Sunday for Miss Anderson.

"This is such an astounding discrimination against equal rights that I am loath to believe that the Daughters of the American Revolution should invoke such a rule I am writing you to inquire whether Dr. Johnson was correctly informed," the Secretary wrote Mrs. Robert on Jan. 30, in a letter made public at his press conference.

He declined to state what Mrs. Robert's reply had been or to make public her letter, saying that information on that point must be sought from the writer, or her organization.

At the office of the president general it was said that Mrs. Robert was out of town and would not return until April 1. In her absence or pending authorization from her, no information on the subject of her letter to Mr. Ickes was available.

DISCRIMINATION_ 1939

D.C.
MISS MARIAN ANDERSON AND THE DAUGHTERS OF THE AMERICAN REVOLUTION. (D.A.R.)

BAR ON MARIAN ANDERSON 'PAGAN' CLERGYMEN DECLARE

Pittsburgh Courier
3-11-39
Pittsburgh

Leading Episcopal Clergy At St. George Chide D.A.R. For Action In World Renowned Singer's Case.

NEW YORK, Mar. 9—The action of the Daughters of the American Revolution in not permitting Marian Anderson to sing in Constitutional Hall is "quite pagan," according to the Rev. Elmore M. McKee, rector of St. George's Episcopal Church, Stuyvesant Square and East 16th street. This also is the opinion of his two assistants, the Rev. Leland B. Henry and the Rev. Charles D. Kean.

Their signed sentiments on the issue are printed in the current Bulletin, the official parish weekly calendar, which were distributed at all services Sunday.

"There are occasions when one's sense of shame must be publicly expressed," the clergymen's statement said. "The ministers of St. George's feel that the refusal by the Daughters of the American Revolution to permit Marian Anderson to sing in Constitutional Hall is such an occasion and that it cannot represent the majority sentiment of an organization of such historical and potential significance.

"All men are equal in the sight of God. Once again the colored race, with their superb capacity to suffer valiantly, as revealed in the haunting pathos of their 'spirituals,' are saying 'Father, forgive them, for they know not what they do.'

"The action of the D.A.R. is quite pagan. It betrays democracy, and with democracy Christianity. We would seek in some slight way to identify ourselves with our suffering brothers and to confess our sense of responsibility for the spiritual blindness of our land.

"And we would request our parish committee on social responsibility to give consideration to this incident and the deep issues it represents, together with Mr. Heywood Broun's suggestion that a national broadcast be arranged for Miss Anderson at the time of the originally planned Washington concert."

Mrs. Roosevelt Indicates She Has Resigned From D. A. R. Over Refusal of Hall to Negro

Special to THE NEW YORK TIMES.

WASHINGTON, Feb. 27.—Mrs. Franklin D. Roosevelt indicated today that she had resigned from the Daughters of the American Revolution in disapproval of the national society's refusal to permit the appearance in Constitution Hall of Marian Anderson, Negro contralto, for whom Howard University is seeking to arrange a concert in Washington.

Times

She would "neither affirm nor deny" that the D. A. R. was the organization from which she had herself announced in her newspaper column her intention to resign rather than by continued membership seem to acquiesce in a policy of which she disapproved. She said she thought it the prerogative of the organization in question to make any announcement on the subject.

2-28-39

Neither would she answer directly a question as to whether the policy in question was the exclusion of Marian Anderson from the society's auditorium, nor comment upon the decision of the society in the matter. However, she said she had joined the society "by request" soon after taking up her residence in the White House.

She said she deplored the fact that Miss Anderson might not be heard in Washington, and so had telegraphed James E. Scott, Negro, treasurer of the Marian Anderson Citizens Committee. Her telegram which she confirmed, was as follows:

"I regret exceedingly that Washington is to be deprived of hearing Marian Anderson, a great artist."

At the D. A. R. offices, it was stated that Mrs. Henry M. Robert, president general of the national society, was out of town; her secretary at home, ill, and that if Mrs. Roosevelt's resignation had indeed been submitted, it was yet in the unopened mail accumulating on Mrs. Robert's desk. No such communication thus far has been received by any national officer, according to members of the clerical staff, and the resignation, if submitted, awaits Mrs. Robert's return.

Criticism of the D. A. R. for barring Miss Anderson from Constitution Hall, and of the Public School Board for sustaining the refusal of Dr. Frank G. Ballou, the Superintendent of Schools, to permit the use of the Central High School auditorium for her proposed concert, has crystallized into a petition for protest which will be published on Wednesday at the next meeting of the school board.

Declaring that "snobbery is back of this," Charles Edward Russell, liberal writer, commented today that the D. A. R. and the District School Board "have given Hitler, Goebbels and the Nazi press of Germany a very happy half hour."

Oswald Garrison Villard, Donald Ogden Stewart and Dr. Vincent Nicholson of the Society of Friends are among those who have joined in a protest for presentation to the School Board, which is said to have been signed by more than 5,000 men and women.

Professor Doxey Wilkerson of Howard University said that Constitution Hall had been engaged by others for April 9, the night on which it was planned to present Miss Anderson, but that subsequent attempts by the university's School of Music to obtain the hall for either April 8 or 10 also had been "turned down."

Regulation Is Cited

A request for the useof the Central High School Auditorium was then made, and disapproved by Dr. Ballou, from whose decision appeal was taken by a group of citizens at the Feb. 15 meeting of the School Board. Five members of the nine board members voted to sustain Dr. Ballou's refusal of the high school auditorium; one, Colonel West Hamilton, a Negro, voted against it, two members of the board were not present at the meeting, and one left before the vote was taken.



Marian Anderson

In 1936 and again in 1937 the use of the Armstrnog High School Auditorium was granted by Dr. Ballou, but Armstrong is a Negro school. The dual (white and Negro) school system provided by law for Washington was one of the reasons on which Mr. Ballou based his refusal of the use of the Central Auditorium, and in support of the other he cited the profit issue involved, quoting the following regulation:

"Use of school facilities will not be granted to any organization for any purposes which will result in a financial profit accruing to the organizations to which such school facilities have been granted."

This regulation was equally in force when Dr. Ballou granted the use of the Armstrong High School for a Marian Anderson recital. But at the offices of the school board it was indicated that had the 192[illegible] request for the use of the Armstrong school been referred to the board, and not granted as it was personally by Dr. Ballou as a courtesy to Howard University, the decision that was might also have

been adverse. Last year, Miss Anderson was heard in a local theatre, which is now in the hands of receivers and accepting no engagements, and two other theatres which might have been made available and the use of which was sought refused to make dates more than two weeks in advance, a period regarded as insufficient by the Howard Music School for the completion of arrangements for the concert.

Mrs. Robert Is Silent

By The Associated Press.

WASHINGTON, Feb. 27.—In Phoenix, Ariz., Mrs. Henry M. Robert, president-general of the D. A. R., declined to comment about the reported resignation of Mrs. Roosevelt.

Singer Extols Mrs. Roosevelt

Special to THE NEW YORK TIMES.

SAN FRANCISCO, Feb. 27.—"I am not surprised at Mrs. Roosevelt's action," said Marian Anderson today," because she seems to me to be one who really comprehends the true meaning of democracy. I am shocked beyond words to be barred from the capital of my own country after having appeared almost in every other capital in the world.

"My manager in New York is arranging an outdoor concert in Washington on April 9, free to the public."

Her Manager Attacks D. A. R.

Mrs. Roosevelt's reported resignation from the D. A. R. was characterized yesterday by S. Hurok, Miss Anderson's manager as 'o'ne of the most hopeful signs in these troublesome times for democracy." Mr. Hurok's statement continued:

"The D. A. R.'s un-American, unconstitutional restriction upon Marian Anderson is a plain instance of the charge, often repeated, that they have not yet begun to understand the true meaning of American democracy.

"By her action, Mrs. Roosevelt has shown herself to be a woman of courage and excellent taste. I applaud her."

STORM CENTER



Marian Anderson, famous concert singer who has become the center of a storm of protest as the result of the action of the Daughters of the American Revolution who denied her the use of Constitution Hall in Washington, D. C., on grounds of color. While the country looks on, Miss Anderson is on the threshold of becoming an "international incident."

A Slap At Discrimination

Mrs. Franklin D. Roosevelt gave American discrimination a typical "Joe Louis" knockout blow, when she tendered her resignation to the Daughters of American Revolution because that body refused to permit the great Negro contralto, Marian Anderson, to sing in Constitution hall, headquarters of the D. A. R. The ladies of D. A. R. consider themselves in a peculiar way the custodians of true American patriotism, but instead they have demonstrated racial intolerance and hatred in the worst form Apparently the members of that body don't know their history, the history upon which forms the basis of their organization. It was Crispus Attucks who first shed blood in that affair which is commonly considered the real beginning of the Revolutionary war, of which they celebrate.

For more than 300 years, Negroes have suffered, labored, fought and died for "Old Glory." They have been there on every occasion to help keep "Old Glory" from touching the ground. We were present at the Boston Common, we showed up at Bunker Hill and left bloody footprints with the Father of this land at Valley Forge. This does not mean a thing to the ladies of the D. A. R., but to Mrs. Roosevelt and many other "white" people, the respect for humanity causes them to hang their heads in shame for the ladies of the D. A. R., and they refuse to be identified with such a narrow organization. The ladies of the D. A. R. are guilty of shameful discourtesy.

The Marian Anderson Incident

One significant angle of the Marian Anderson case has been to emphasize the difference between racial relations existing at the time of the War of the Revolution and at the present time.

In a recent editorial the AFRO-AMERICAN pointed out that 3,000 colored men fought with Washington's army in 1776. Some of these men were in separate battalions; there was at least one separate regiment, from Rhode Island; and colored men fought in so-called white regiments, that is mixed troops, with all the Revolutionary commanders.

In addition, the story this week from Rhode Island recites the names of colored men who were constant bodyguards for General Washington during the war, because there was fear that he would be poisoned by white Tories

Then there is the case of Ann Dandridge, known to be of Indian and colored parentage, on one side and white on the other. Her father was also the father of Martha Dandridge, afterwards Mrs. Custis, who in 1759 was married to General Washington. The two daughters, Ann and Martha, grew up together on their ancestral plantation.

It would seem that our Revolutionary War ancestors didn't stop at the color line as the lily-white D.A.R. does today.

The president general of the D.A.R. is Mrs. Henry M. Robert, Jr., white, of Annapolis, Md. So when we recall this, we immediately raise this question: Can any good come out of Annapolis where the lily-white United States Naval Academy is also located?

Let's consider the reason Mrs. Robert gives for barring the great singer from Constitution Hall. She is quoted as saying that the rules governing the hall are of long standing and in accordance with the custom prevailing in Washington.

But the facts don't seem to be with Mrs. Robert. They weren't the facts that prevailed at the time of the American Revolution, and the fact that the policy of the association has been so widely criticized by Secretary of the Interior Ickes, by literally thousands of leading white persons throughout the country, including Mrs. Roosevelt, who resigned from the association, seems to indicate that the D.A.R. is not acting in accordance with the custom now prevailing in Washington.

DISCRIMINATION- 1939

D.C.
MISS MARIAN ANDERSON AND THE DAUGHTERS OF THE AMERICAN REVOLUTION. (D.A.R.)

High Point, N. C. Enterprise
February 28, 1939

COLUMNIST IN THE NEWS

The pleasantly personal newspaper column Mrs. Roosevelt writes daily not only has broken the column rule but has splashed on front pages. She announces her resignation from an organization because of disagreement with its policy. Reporters put simple jigsaw pieces together to reach the conclusion that she has quit the D. A. R.

Reports are to the effect that the organization declined to rent Constitution hall in Washington for the appearance of a famous negro singer. Subsequently the school board refused the singer the privilege of appearing in the Central high school auditorium."

Mrs. Roosevelt in her copyrighted article writes as follows:

"I have been debating in my mind for some time a question which I have had to debate with myself once or twice before in my life. Usually I have decided differently from the way in which I am deciding now. The question is, if you belong to an organization and disapprove of an action which is typical of a policy, should you resign or is it better to work for a changed point of view within the organization? In the past when I was able to work actively in any organization to which I belonged I have usually stayed in until I had at least made a fight and had been defeated.

"Even then I have as a rule accepted my defeat and decided I was wrong or perhaps a little too far ahead of the thinking of the majority at that time. I have found that the thing in which I was interested was done some years later. But in this case I belong to an organization in which I can do no active work. They have taken an action which has been widely talked of in the press. To remain as a member implies approval of that action, and therefore I am resigning."

There must be more to the story than even the sleuths have brought to the front pages. It is difficult to believe that a race prejudice would cause the Daughters to close an auditorium against a negro woman singer. We wonder whether there's a city in the South, supposed to be the locale of chief discrimination against the colored artist, where a great singer of the race would have trouble hiring a hall. Perhaps we will hear more and more illuminatingly about the incident.

Norfolk, Va. Pilot
March 1, 1939

Mrs. Roosevelt's Protest

Mrs. Roosevelt has strongly indicated, although she has not directly said so, that she has resigned from the Daughters of the American Revolution in protest against their refusal to permit Marian Anderson, the Negro contralto, to sing in the D. A. R.-owned Constitution Hall in Washington. The effect of her resignation upon the D. A. R. is not easy to foresee. We should regard it as a serious reflection on an organization, members of which asked Mrs. Roosevelt to join it after Mr. Roosevelt had become President; but it does not follow, judging by history, that the D. A. R. will.

In any event, the protest seems eminently justified. As voiced by others, it extends to the public school authorities of Washington because of their refusal to permit a white high school auditorium to be used for the Marian Anderson concert. But there may be a distinction concerning public school auditoriums. Permission to use them for musical concerts is not ordinarily given when private profit is the motive of the sponsors. It has been argued, further, that the proposed concert, if held in a white high school auditorium, would be contrary to law.

Neither of these doubts would apply to the use of Constitution Hall. For this auditorium of 4,000 seats—to quote from the WPA volume on *Washington, City and Capital*, in the American Guide Series—"serves miscellaneous as well as patriotic purposes, and has also become a music center where concerts by the Washington Symphony Orchestra and visiting artists are given." Again, in another section, the same volume contains this:

> In its regular concert life Washington offers a brief season of the world's greatest artists. . . . Constitution Hall, with a capacity of 4,000, affords a charming environment for a season of some 40 concerts, many of which are given by the great stars of the musical world.

It does not have to be argued at this date or in the presence of those who know music, that Marian Anderson ranks among "the great stars of the musical world." In this particular instance, such other stars of the same world as Lawrence Tibbett, Kirsten Flagstad, Geraldine Farrar and Walter Damrosch have rallied to her side, to demand (in the words of Damrosch) that "the doors of Constitution Hall should be opened wide for Marian Anderson."

But even without their protests, or for that matter, Mrs. Roosevelt's protest, it is quite clear that a refusal to permit the use of an auditorium owned by the Daughters of the American Revolution and regularly utilized for musical concerts, solely because a singer is a Negro, would always be an astonishing and unjustified application of the racial barrier.

Sumter, S. C., Daily Item
February 28, 1939

Still Seek Hall For Negro Singer

Washington, Feb. 28—(AP)—The city school board will be asked again tomorrow to permit the use of Central High auditorium for a concert by Marian Anderson, negro contralto.

The controversy on where she shall sing already has drawn in Mrs. Franklin D. Roosevelt, who deplored the idea that "a great artist" might not be heard in the capital.

Sponsors of the concert said the Daughters of the American Revolution had refused use of Constitution hall. Mrs. Roosevelt announced yesterday she had resigned from an unnamed organization, which was generally taken to mean the D.A.R.

The concert is scheduled for April 9. The school board has turned down one request for use of Central High auditorium, on the grounds the concert was commercial. Constitutional hall officials said the hall had a prior engagement for April 9.

The whereabouts of Mrs. Roosevelt's resignation remained a mystery. All D.A.R. national officials were away from headquarters and no one there would say whether Mrs. Roosevelt had quit the organization.

Mrs. Roosevelt was given a no-dues life membership in the society soon after she entered the White House.

Atlanta, Ga. Journal
March 2, 1939

Marian Anderson Ban in Washington Studied by Board

WASHINGTON, March 2.—(AP) A committee of Washington's Board of Education took under advisement Thursday appeals for rescinding of its refusal to allow Marian Anderson, negro contralto, to give a concert in a high school auditorium.

The matter was referred to the committee after a hearing Wednesday, in which Sidney Katz, secretary of the Washington C. I. O., compared the board's refusal with treatment of Jewish artists in Germany. Katz also criticized the Daughters of the American Revolution for refusing to allow use of their auditorium for the concert.

When Katz referred to "the old fogies of the D. A. R.," he was admonished by Mrs. Henry Grattan Doyle, president of the board, to confine his remarks to the school situation.

Mrs. Doyle said use of the school auditorium was denied Marian Anderson because of the profit motive in promotion of the concert and because Congress had charged the board with maintaining separate school systems for negroes and whites.

Charles H. Houston, attorney for the National Association for the Advancement of Colored People, said other concerts had been given in school buildings here for profit.

Birmingham, Ala. Age Herald
March 4, 1939

NEGRO SINGER GIVEN PERMIT

WASHINGTON, March 3—(AP)—The Board of Education reversed itself Friday and voted to permit Marian Anderson, Negro contralto, to sing in the Central High School (for white students) Auditorium on Easter Sunday. Before the board's first decision to bar the singer from use of the auditorium, the Daughters of the American Revolution denied her use of their Constitution Hall. Later, Mrs. Franklin D. Roosevelt told a press conference that she had resigned from a nation-wide organization in a disagreement over policy, but refused to confirm or deny that the organization was the D. A. R.

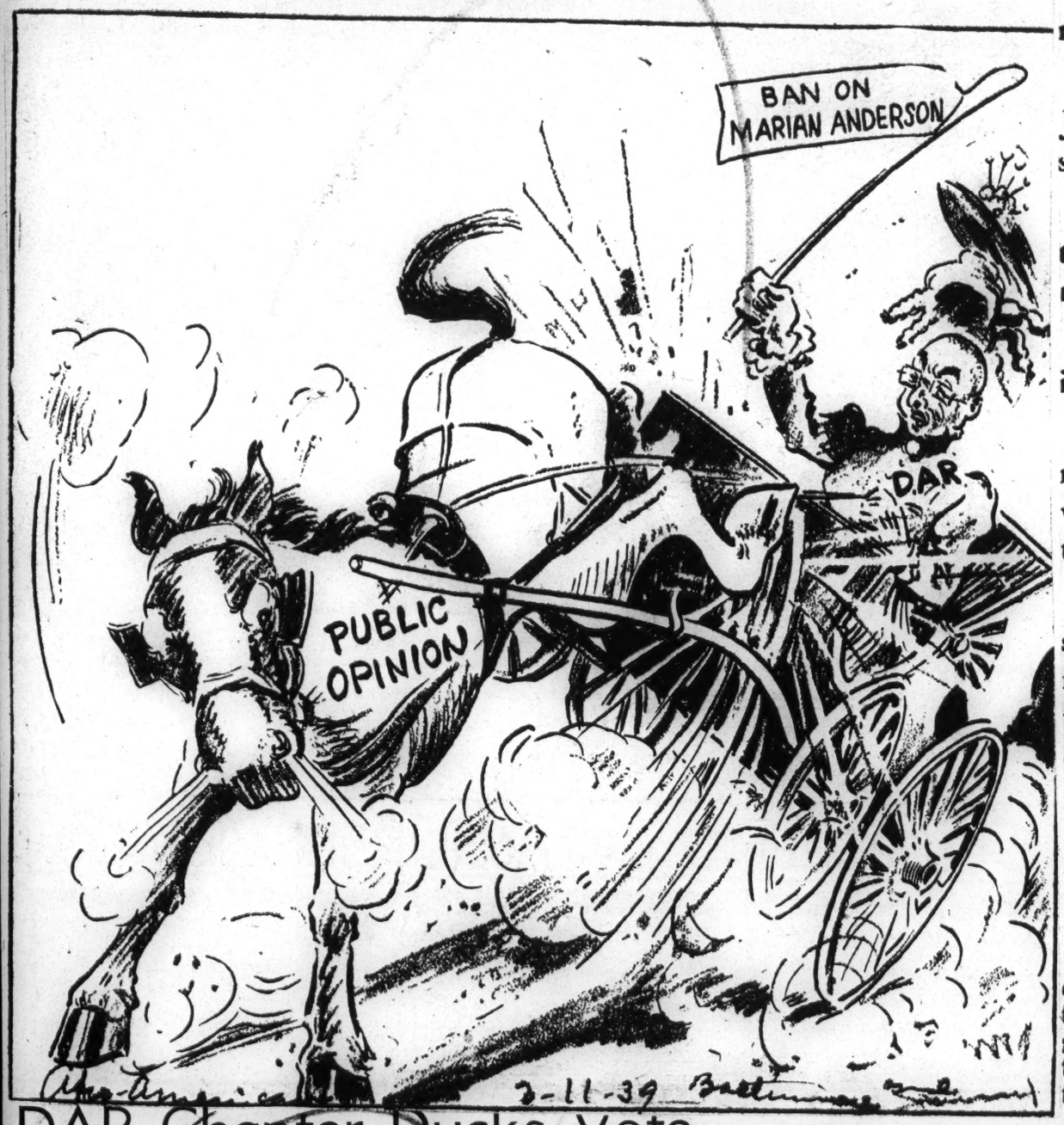
Pensacola, Fla. Journal
March 1, 1939

Controversy Occurs Over Negro Singer

WASHINGTON, Feb. 28.—(AP)—The city school board will be asked again tomorrow to permit the use of central high auditorium for a concert by Marian Anderson, negro contralto.

The controversy on where she shall sing already has drawn in Mrs. Franklin D. Roosevelt, who deplored the idea that "a great artist" might not be heard in the capital.

THE OLD GRAY MARE AIN'T WHAT SHE OUGHT TO BE



DAR Chapter Ducks Vote to Censure Ban on Singer

NEWARK, N.J. — Assemblywoman Constance W. Hand, white, past regent of Jersey's Nova Caesarea D.A.R. Chapter admitted Sunday, that she had presented a resolution at last week's D.A.R. conference in Trenton condemning the national organization for barring Marian Anderson from Constitution Hall in Washington.

She stated, however, that the rsolution was rejected by the resolutions committee and never reached the floor.

Mrs. Hand said that the national DAR action was "definitely not American and against the principles for which the DAR stands." She made the statement while addressing a group at 11 Clinton Place, Sunday night, on "What is Americanism?"

Concerning the refusal of the D. A. R. (Daughters of the American Revolution) to allow the use of their hall for the recital of Marian Anderson, we may say:

"Now in the name of all the Gods at once, upon what meat doth this our Caesar feed, that he is grown so great?"

Don't those poor women know, that Negro slavery, like Jewish slavery, Egyptian slavery, and all other sorts of slavery, ever engendered amalgamation and miscegenation?

Don't they know that Negro blood circulates in some of the best families of this country and that the D. A. R. may not be exempt?

Don't they know that thousands of Negro soldiers, fought in the Revolutionary War for American independence?

Don't they know that the United States constitution recognizes the civic equality of all citizens and that the world's leading scientists and anthropologists have exploded the myths and exposed the fallacies anent racial superiority?

We now find ourselves between Scylla and Charybdis, since we can scarcely conceive of the D. A. R. being so ignorant as not to know the facts herein enumerated, and we find it impossible to believe, that knowing them, they could, simply because of racial antipathy, of circumstances of birth beyond her control, be so unjust, so cruel, so inhuman to a woman gifted by the Gods with a voice, that angels may well envy.

Dabnev.

Mrs. Roosevelt Led the Fight

Mrs. Eleanor Roosevelt is to be commended for the courage she showed in resigning from the Daughters of the American Revolution, when she learned that the organization had barred Marian Anderson from Constitution Hall. But the thing which stands out in this matter is that she led the fight.

The First Lady didn't wait until everybody began throwing sticks and stones in the direction of the D.A.R., she herself hurled the first criticism. It was after she had given the official White House rebuke to the snobs who masquerade under the title of the Daughters of the American Revolution, that the whole anvil chorus joined in the refrain.

DISCRIMINATION-1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

MONTGOMERY, ALA. ADVERT'R
FEB. 28, 1939
M3

ELEANOR, MARIAN AND THE DAR

The collision between Mrs. Eleanor Roosevelt and the Daughters of the American Revolution over the question of permitting Marian Anderson, eminent American Negro contralto to sing in Constitution Hall in Washington, is a painful episode. It is most regrettable. In her interview with the reporters Mrs. Roosevelt declined to identify the organization from which she had resigned over a question of "policy," but all dispatches make it fairly clear that it was the DAR which she rebuked by resigning from. It is Mrs. Roosevelt's feeling that the organization itself should make its own announcement.

It is known that the DAR recently refused permission for Marian Anderson to give a concert in Constitution Hall April 9 this request having been made of the Daughters because of the need for a larger auditorium. Immediately there was an acrimonious controversy in the columns of Washington newspapers about this decision to exclude from Constitution Hall "the world's greatest singer," an encomium attributed to Toscanini.

"Blind Tom," great pianist, and "Black Patti," great vocal soloist, appeared repeatedly in their day in the white music halls of the Deep South. More recently the famous Tuskegee choir has been in demand before white audiences throughout the Deep South, and the Dawson symphony was as warmly appreciated by Southern whites as by Negroes. Roland Hayes, great tenor soloist, who like Marian Anderson has appeared before the crowned heads of Europe, is as popular in Alabama as in Maine or Yugoslavia. Anderson and Hayes have sung repeatedly in Alabama. They have appeared at Tuskegee and Birmingham and in Montgomery, the first capital of the Confederacy. It is but a few months since that Hayes sang at the city auditorium in Montgomery. Paul Robeson famous baritone, has appeared repeatedly in moving pictures all over the Deep South.

Why there should be any objection to the appearance of Marian Anderson in Constitution Hall at Washington passes all human understanding. She can sing almost anywhere else in Washington, she can sing almost anywhere else in the United States and in Europe.

If as it would appear Mrs. Roosevelt has resigned from the DAR as a protest against this amazing policy, The Advertiser thinks that she has done a courageous and honorable thing.

Washington, D. C. Post
March 3, 1939

The Anderson Concert

It is to be hoped that the Committee on Community Use of Buildings, of the Board of Education, will at its meeting today decide in favor of making the facilities of the Central High School auditorium available for a public concert by Marian Anderson. It is further to be hoped that such a reasonable action, if taken, will be promptly confirmed by special session of the board.

In so acting the board would be making a very real concession. It would be reversing a previous decision which was adequately grounded in law and logic. And it would be reversing that decision in the face of a storm of criticism which, consciously or unconsciously, has tended to confuse and exacerbate the actual issue. Nevertheless, the reasons for a reversal of attitude seem compelling.

The Board of Education based its earlier action on two considerations. One of these is the dual school system which is legally established for the District of Columbia. This system carries the implication that a similar division should rule with regard to the utilization of school property for extra-curricular functions. It is not of itself a very strong argument, however, because the concert in question would not be held during school hours, and because the local schools have frequently been used for inter-racial gatherings.

The second, and much more important, consideration, is the commercial character of the projected concert. The fee of $1,750 requested by Miss Anderson necessitates high prices for the seats. It would give the whole affair a strongly commercial flavor which should not be associated with public school property. On this profit-making basis every Government auditorium in Washington, including that at the disposal of Secretary Ickes, would be closed to Miss Anderson or any other professional performer. The same position should be taken by the District schools, particularly since this concert is scheduled for Easter Sunday, when a commercial presentation seems particularly inappropriate.

But the defect in this argument, very properly emphasized by the Howard University Concert Series Committee, is that the school officials have not been consistent in refusing to let school property be commercialized. Three years ago Marian Anderson received a fee of $600 when she sang at the Armstrong High School and two years ago, for another concert at this Negro institution, she received $1,250. Between these honoraria and that now demanded by the artist there is a difference in degree but not in kind.

Doubtless these earlier substantial fees were not disallowed by the Board of Education in 1936 and 1937 because it wished to facilitate the appearance of Miss Anderson in Washington. Unquestionably it is most unfair that the board is now attacked as seeking to exclude this Negro artist when earlier it actually tolerated improper concessions in order to give her a forum here. Certainly there is a point at which the commercialization of school property becomes intolerable, and that point seems to have been exceeded in the present issue. But having accepted a rising scale of charges by Miss Anderson in the past, there is firm basis for the argument that one final compromise with principle should now be made by the board.

This seems the more desirable because of the present tendency to make the major issue, which is one of commercialization, appear as being wholly a racial problem. As would be expected, communists are active in spreading this misrepresentation. On Tuesday of this week the New York Daily Worker, which boasts of its affiliation with the Communist International, editorialized on the subject. Denial of the facilities of Constitution Hall to Miss Anderson, it said, "was eagerly imitated by certain high school officials in Washington who refused to accept a transfer of her concert, thus showing that American democracy is just as alien to them as it is to the D. A. R. reactionaries."

Those who understand the wholly dishonest technique of the Communists will expect an increase in malicious attacks of this character if the Board of Education should take the stand that the evidence presented in behalf of reconsideration is not compelling. But it is not yielding to improper pressure to wish to see this unnecessary issue fairly reconciled. And reconciliation is rendered easier by the precedents referred to above.

It therefore seems desirable for many reasons that the board should authorize the Anderson concert, perhaps stipulating a date other than a Sunday, and at the same time making it clear that henceforth no commercialized performances of any kind will be permitted on any of the property under its control.

The real moral to be drawn from this unfortunate affair is, as we have already noted, the urgent need for a municipal auditorium available to the people of Washington without invidious distinctions of any kind. Making that need more clear was the one constructive aspect of the D. A. R. decision to keep Miss Anderson from singing in Constitution Hall. The dilemma into which that action has forced the Board of Education is the more to be regretted because of the lack of any solid basis for the unfair condemnation this hard-working and public-spirited body has recently received.

Memphis, Tenn., Com'rcial Appeal
March 12, 1939

Marian Anderson Returns To Circle

Marian Anderson, negro contralto whose voice Toscanini described as "one that comes along once in a hundred years," will be a guest for a second time on The Circle broadcast over WMC at 9 tonight. She will sing a group of songs, with Robert Emmett Dolan's orchestra accompanying. Jerome Kern, the composer, also has been invited to appear on the program.

Basil Rathbone again will be the master of the revels, and regulars to be heard will include the Marx Brothers and the Foursome.

Birmingham, Ala. News
March 12, 1939

NEGRO CONTRALTO HAS WIDE RENOWN

Critics At Home And Abroad Join In Lavish Praise Of Marian Anderson

"My roof is too low for you."

Of the many high compliments that have been paid Marian Anderson, who sings at the Municipal Auditorium here April 3, this from Jan Sibelius, Finnish composer, was probably one of the greatest.

Sibelius is credited with having made this remark after the world renowned Negro contralto finished singing for him in his home last season. Soon after this, Sibelius, in tribute to the singer's intrepretative abilities, dedicated a song, "Solitude," to her.

This incident is referred to as typical of how Marian Anderson was first recognized by Europe, although she had won a contest of national importance in this country and was granted a Julius Rosenwald scholarship. It was not until she had created a sensation in European cities that America begged her to come home. The United States was so insistent on this, it is recalled, that the singer was forced to cancel engagements in Eastern Europe and Finland to return to this country where she made a record-breaking tour of 67 cities in less than five months.

Switzerland had found her "magical." Geneva described itself as "stupefied" by her range; Toscanini declared "a voice like yours is heard only once in a hundred years." She had been invited by the Salzbrug Festival to offer a program at the Mozarteum. She was presented with the Grand Prix de Chant in Paris for "the most glorious voice recorded on the entire continent."

It was not until after all this that America realized her remarkable ability.

Pitts Sanborn, critic of The New York World-Telegram, after hearing her on her first European tour, wrote: "She was literally a high priestess of songs and the applause of the house seemed almost sacrilege."

W. J. Henderson, late critic of The New York Sun, wrote: "It is rare indeed to hear a recital artist who can interpret such a program as hers without once breaking the spell woven by her evident culture and refinement."

The Chicago Examiner stated that 'Marian Anderson is to the present what Schumann-Heink was to the past. Hers is the perfect contralto.'

SOUTHERN VOTERS JOIN WITH OTHERS IN DECLARING O.K.

Refusal To Let Negro Girl Sing In Constitution Hall Widely Resented

YOUNGER PEOPLE MORE CONCERNED THAN OLDER

First Lady's Course Equally Popular With Women And Men, Survey Shows

By Institute of Public Opinion

NEW YORK—Three weeks ago when Mrs. Franklin D. Roosevelt resigned from the D. A. R., reportedly because of the organization's refusal to let colored Marian Anderson sing in Washington's Constitution Hall, the First Lady caused a buzz of comment from Maine to California.

Because every major gesture of a president's wife has a political effect, whether intended or not, observers in Washington wondered whether Mrs. Roosevelt had been wise or unwise.

What would the Democratic South think of her action?

Today the American Institute of Public Opinion reports the sentiments of men and women in all parts of the United States on the issue. And the Institute's findings show that while Southern voters have not been pleased, the majority of voters elsewhere are in sympathy with Mrs. Roosevelt's action.

The vote for the country at large is:

Approve of Mrs. Roosevelt's action in resigning	67%
Disapprove	33%

Southerners dissented by an average vote of 57 per cent, but even some of the dissenters declared they had no objection to Marian Anderson's singing as a paid performer. It was Mrs. Roosevelt's "making a fuss about it" that they disliked.

A majority of Democrats in Mrs. Roosevelt's own party approve of what she did, however, and it is interesting to note that most Republicans do likewise:

	Approve	Disapprove
Democrats	68%	32%
Republicans	63%	37%

The vote is not a clear-cut laboratory test of the racial issue, for Mrs. Roosevelt's own popularity is inescapably involved.

In a recent survey the Institute found Mrs. Roosevelt's popularity greater than her husband's. Sixty-seven per cent of the voters throughout the country said they approved, in general, of the way Mrs. Roosevelt had conducted herself as First Lady, while 58 per cent were supporting President Roosevelt.

Nevertheless, the most frequent reason given by those who back up Mrs. Roosevelt's decision is:

"There shouldn't be any race prejudice in this country."

Other reasons put forward for approving her resignation are (1) Marian Anderson's special talent as a singer and (2) general disapproval of the D. A. R., as "too autocratic."

Most of those who criticize Mrs. Roosevelt for resigning say that "color lines have to be kept" or that "it wasn't a big enough issue." A few object that Mrs. Roosevelt should have stayed within the D. A. R. and sought to change its "attitude."

The First Lady's action has been about equally popular with men and women voters. Sixty-nine per cent of the women say they approve her course in resigning from the D. A. R., as compared with 66 per cent of the men.

Younger pepole (aged 18 to 30) tend to be more sympathetic with Mrs. Roosevelt's action than their elders.

Sections	Approve	Disapprove
New England	79%	21%
Mid Atlantic	75	25
East Central	71	29
West Central	65	35
South	43	57
West	80	20

Greensboro, N. C., News
March 4, 1939

NEGRO ART AND PUBLIC HALLS.

Washington is not a southern city, but a national, and the Daughters of the American Revolution is not a sectional organization. These two circumstances are confusing to those who criticise, from a fixed attitude, the incident of the refusal of the organization to allow Marian Anderson, negro singer, to appear in its Washington hall.

There is not any "southern" question involved in such matters; however it may be in some sections included in "the south," of which we have no information. To the Greenville Piedmont, "in this connection the thought suggests itself that Greenville has been fortunate in hearing, and seeing, negro artists in public auditoriums without any embarrassing developments whatever. It is recalled that a few years ago a colored artist appeared in Textile hall and was greeted by a large and appreciative audience of white people, as well as by many of his own race. The race issue was not even suggested."

Similar testimony could be gathered in almost any section of the southeastern part of the country, at least. If the most "southern", professional or other, of the distinguished dames had resigned from the D. A. R. in protest, as Mrs. Roosevelt has done—that is, if protest was her reason for resigning, which is not altogether clear—it would have been cause for no more than mild excitement.

Washington, D. C. Post
March 2, 1939

Anderson Ban to Be Reconsidered

School Board Group to Review Singer's Request For Auditorium

The Board of Education yesterday reopened the case involving Marian Anderson, colored contralto, after it had been asked to reconsider its decision of last week barring the use of Central High School Auditorium for her scheduled Easter Sunday recital.

Charles H. Houston, former member of the Board of Education and now legal counsel for the National Association for the Advancement of Colored People, declared in a crowded meeting room at the Franklin School that the board's decision against Miss Anderson was a "travesty on democracy," and one that would "haunt" it unless corrected.

Sidney Katz, secretary-treasurer of the C. I. O. in the District of Columbia, compared the board's action of last week with the treatment of Jewish artists in Nazi Germany and Fascist Italy. At the same time, he denounced the action of the Daughters of the American Revolution in denying Miss Anderson the use of Constitution Hall.

When Katz referred to the "old fogies of the D. A. R.," Mrs. Henry Grattan Doyle, president of the Board of Education, admonished him to confine his remarks to the board.

Referred to Committee

After a five-minute recess, the Board of Education voted to refer the controversy to its committee on the community use of buildings. C. Melvin Sharpe, who was sworn in as a member of the board yesterday, is chairman of that committee.

The committee will meet at the Franklin School tomorrow at 3 p. m. to consider the transcript of Mr. Houston's arguments yesterday. Actually all members of the board who are able will attend the committee meeting, and a definite decision is expected to be reached by the board late in the afternoon.

At the outset of yesterday's meeting, Mrs. Doyle reviewed last week's action, pointing out that the use of Central High School, which is for white students, was denied for Miss Anderson's recital (1) because of the private profit motive behind it, and (2) because Congress has charged the board with maintaining a dual—white and colored—school system here.

Cites Profit Cases

Attorney Houston, arguing against the first contention, reminded the board that Rachmaninoff had appeared at Central for a profit, and likewise the New York Philharmonic Society. Tilden and Vines, the tennis stars, he recalled, had played in the McKinley High School gymnasium, with tickets selling for $1.65 apiece.

Miami, Fla. Herald
February 28, 1939

BECAUSE she disapproved a recent action by a group, presumably the Daughters of the American Revolution in banning a negro singer, Mrs. Roosevelt resigned. Which was her right. But if all members quit organizations when they disliked certain acts, there would be no members of any organization. Which might be all right, too.

DISCRIMINATION - 1939

D.C.
MISS MARIAN ANDERSON AND THE D.A.R.

Let The D. A. R. Alone Now

By M. S. STUART

MEMPHIS, Tenn.—Thank God for Mrs. Eleanor Roosevelt and let the D. A. R. rest. We are in no position to gloat. But white people in this country come to our rescue because they like justice and hate discrimination; but they have no relish for Negroes crowing in triumph over any victories they help us to win over white opponents. Moreover we need more friends in high places like the wonderful Mrs. Roosevelt and the fearless Mr. Ickes; and it strengthens their hands in defense of us if we deport ourselves in such calm gratitude that no thought of egotism or vanity is raised.

Behold Joe Louis and Marian Anderson, how composed and unaffected they conduct themselves always when riding the high clouds of success. "I had a lucky night"—You have heard Joe say that over the radio. Think that sentence through and you will find a fine sermon to the race in those few words. Joe is just saying by that, "I don't think I have done anything so extra. I just had good luck tonight, and even if I thought high praise was due me, I know I must not let on as if I thought so, because it does not take much to turn a lot of people against a member of a minority group in these times." Of course, too, there is a fine thread of ironical wit in that sentence. It is another way of saying "My fists do my talking; let the other fellow do the explaining."

And have you noticed Marian Anderson's indescribable dignity on the stage? What is it? What are the implications conveyed by that rare poise and natural grace? There is a suggestion of humility and yet there is so much of grace and genius in her mannerism the term "humility" lacks accuracy in any description of her conduct. Maybe "dignified" graciousness is more accurate. Hers and Joe's is the best technique for our situation. Leave the boasting and the crowing to others.

You noticed that justice Hugo Black sat under Lincoln's monument honoring a colored woman by his presence. That means he does not care who knows he is on the side of justice, even for us. Maybe his heart has been with us all the time, even when he had to have the support of Alabama to climb up to where, in independence, he could be of real service to us.

A lot of other people are wanting to creep out of the dark caves of bigotry into the sunlight of progress. Let's don't frighten them back by boasting. Let the D. A. R. alone.

Anderson Ghost Stalks At Meeting

Give "Customs" As Excuse For Barring Singer

(Reprinted from last week's Late Edition)
(Special to Journal and Guide)

WASHINGTON, D. C.—The ghost of the Marian Anderson-Constitution Hall controversy rattled its bones over the annual meeting of the Daughters of the American Revolution here Wednesday when the DAR president, Mrs. Henry M. Roberts, Jr., presented the organization's side of the refusal to permit the world-renowned singer to recite from its spacious platform last Easter Sunday.

The presiding officer denied that "prejudice, personality or discrimination," influenced the DAR management board's decision to refuse Miss Anderson the privilege of singing in the Hall, but placed the blame on a precedented decision circumscribed by District of Columbia customs.

While the speaker failed to mention the name of Miss Anderson, or Mrs. Eleanor Roosevelt, whose resignation from the Daughters of American Revolution, whose resignation from the Daughters of American Revolution attracted national attention, several reasons were made known why the hall was refused Miss Anderson.

She listed four reasons:

1. The hall was engaged for the afternoon of the date when a night appearance was asked and rules forbid rival musical attractions at the hall on the same days.

2. A rule was adopted more than seven years ago "because of unpleasant experences in attempting to go contrary to conditions and customs existing in the District of Columbia."

3. An exception to the rule would have been a violation of "signed agreements and customs for all similar properties in Washington" and would have opened the society to legal responsibility of violation of its own agreements with concert bureaus regularly using the hall.

4. An exception for the musical event would have meant that the society retreated "under fire of widely scattered groups and organizations many of whom knew nothing of the facts and whose interest had nothing to do with the real question."

Immediately following the action of the DAR, the District of Columbia Board of Education also denied the singer the use of Central High School Auditorium, but later rescinded its decision, leaving such humiliating strings attached that Howard University, sponsor of the concert, would not accept.

Authorities of Howard University then sought permission from Secretary of the Interior, Harold L. Ickes, to sing from the steps of the Lincoln Memorial, which was granted.

The rest of the story is well known. Miss Anderson fulfilled her engagement on Easter Sunday, singing before a multitude of more than 75,000 persons with the concert broadcast over the nation-wide facilities of the National Broadcasting System.

The DAR president did not outline the particular rule restricting use of the building by members of the race, but recalled an incident of several years ago which she termed turned out "unpleasant" when efforts were made to go contrary to the dictum of the governing body of the hall.

Hailed as the greatest outdoor demonstration of such nature ever held in the District, Miss Anderson had the support of the Chief Justice of the Supreme Court, Charles Evans Hughes and Mrs. Hughes, and other prominnent government officials.

A delegation from the Citizens' Committee of Washington expressed its intentions of asking the convention for a hearing on opening the doors of Constitution Hall to colored artists and that Miss Anderson be permitted to hold a recital in the hall next year.

Meanwhile, Mrs. Eleanor Roosevelt, who resigned from the aristotest against the barring of the facratic D. A. R. recently as a protest against the barring of the famous singer, will not be at home when the delegates are entertained at the White House Friday. Cabinet members' wives will take turns acting as hostesses to the delegates.

Marian Anderson, the D. A. R. and a Rule

As a member of the Daughters of the American Revolution, I am becoming a good deal disturbed by all the adverse publicity in this affair of Marian Anderson (PATHFINDER, March 11, April 15).

As the facts have been given to me from what I consider a reliable source, the national organization is not open to any criticism. I am told there is a ruling in the District of Columbia which governs the rental of all buildings used for revenue, this ruling containing a clause forbidding the rental of such buildings to the Negro people.

Since you are located in Washington, you must know the facts, and should be unbiased, so I am asking you for information . . . We have recently subscribed for PATHFINDER, thinking it to be fair, just and sane.

Mrs. F. L. Searing
Mankato, Minn.

* * *

. . . I am a member of the D. A. R. and should like to know the truth about the whole affair . . .

Mrs. Fred Bartz
Valparaiso, Ind.

[Stated briefly, the facts in the case are these: (1) there is no District of Columbia ordinance against renting meeting places to Negroes; (2) however, many privately-owned buildings set up this restriction through contractual agreement with lessees. The D. A. R.'s decision not to rent Constitution Hall to Miss Anderson has been explained by Mrs. John S. Heaume, secretary general of the Daughters, substantially in this way: the Negro contralto first sought use of the hall for Easter, but the hall had already been rented for that date. Then, after she had sought it for any open date, the D. A. R.'s national board decided to adhere to its seven-year rule against renting the building to Negroes. This rule, according to Mrs. Heaume, is "in line with those in effect for other meeting places in Washington." Despite the D. A. R.'s stand, Miss Anderson sang in Washington on Easter, performing in the open before a crowd of 75,000 at the Lincoln Memorial. Mrs. Franklin D. Roosevelt, who resigned from the D. A. R. in protest against its ruling, said last week Miss Anderson would probably be asked to sing at a White House concert for the King and Queen of England next month.—Ed.]

DAR Reasons For Anderson Ban Exploded

Practice Began 12 Yrs. Ago With Hayes Concert

ferred that racial segregation an discrimination are generally prac ticed in Washington, she is correct As far as could be learned, Constitution Hall is the only auditorium in the city where the appearance of a colored artist is barred.

The theatres — legitimate and movie—maintain a rigid policy of barring the attendance of colored persons as patrons, but draw no color line against colored attractions.

The National Theatre, the only legitimate playhouse in the city, presented "The Green Pastures," Marc Connelly's Pulitzer prize-winning play, for two weeks in February, 1933. It is true the theatre did not drop its color ban so far as patrons were concerned, but through an arrangement with the Elks a special performance was given on Sunday evening, February 26, under the auspices of the educational department of that organization.

ETHEL WATERS INCIDENT

Later, when Ethel Waters came here with a broadway production the color bar was dropped and colored patrons bought and occupied seats all over the house.

The same thing was true with respect to the engagement of "Porgy and Bess." There was no color discrimination among patrons. The theatre continued the policy for a week or two following this engagement in March, 1936, but discontinued it without any explanation and reverted to its normal policy of excluding colored patrons as hundreds of letters pro and con appeared in a daily paper.

Not even the Loew's Capitol, RKO's Keith, or the Warner Brothers' Earle will admit colored theatregoers, but all of them play the ranking colored bands and some acts, although some bands and some acts have had trouble about costumes, the theatre insisting on their wearing overalls and bandannas to please their patrons from the deep South.

The rule barring colored artists from Constitution Hall has not always been in effect. Both Roland Hayes and Paul Robeson have sung there.

ADOPTED 12 YEARS AGO

Though she never specifically said what the "rule" was, Mrs. Roberts declared it was adopted 12 years ago "as a result of actual experience."

The truth is, the exclusion rule grew out of a concert by Roland Hayes in Constitution Hall. The concert bureau under whose auspices he was to appear at first refused to sell orchestra seats to colored persons. A vigorous protest was made. When the controversy was brought to the attention of Mr. Hayes, the tenor refused to carry out his contract unless he was given assurance that there would be no segregation at his concert.

The controversy was a matter with which the Daughters of the American Revolution had nothing to do. It was between the community and the concert bureau with whom Mr. Hayes was under contract. There was no segregation at that concert, but neither he nor any outstanding colored artist has since appeared in Constitution Hall.

A letter from Charles H. Houston, attorney for the Marian Anderson Citizens Committee, which waged the fight for a suitable place for Miss Anderson to sing here on Easter Sunday, requesting reconsideration by the society of the rule in question and use of the hall by Miss Anderson for a concert at some future date, was laid before the board at its meeting on Saturday.

The only reference on the floor of the convention to Mrs. Eleanor Roosevelt, who resigned from the D. A. R., because of its ban on Miss Anderson, was in the report of the program chairman, Mrs. G. W. S. Musgrave, who said: "Through the courtesy of Mrs. Roosevelt the customary White House reception will be held on Friday afternoon."

There was no mention of Mrs. Roosevelt's resignation in the reports of various national officers, as well as in the report of the President General.

See Danger To Negroes In Dee Cee Reorganization Bill

(Washington Bureau Associated Negro Press)

If Congress reorganizes the District of Columbia government in accordance with proposals made in the special Griffenhagen report, the large Negro population which already suffers greatly from discrimination will be the biggest losers, it was revealed last week in a study of the [illegible] by A. Maceo Smith of the Joint Citizens Committee.

This committee, with Charles H. Thomas, chairman; Woolsey W. Hall, secretary, and its special committee on Strategy with Doxey Wilkerson, chairman; R. W. Brooks, Charles H. Houston, Belford W. Lawson, Jr., Leon A. Ransom, Charles H. Thompson and H. D. Woodson as members, has asked every organization and individual in the nation's capitol to work with it in fighting acceptance by congress of the Griffenhagen proposals.

The proposals call for a city-manager form of government with clear separation of legislative and administrative functions. There would be an appointed board of commissioners or governing body with five or seven members, or possibly an elected council, and the administrative authority would be a city manager named by the governing body or the U. S. president. The present 69 agencies of the district government would be combined into 17 administrative departments, each headed by a director appointed by the city manager without term and responsible only to him. Many existing boards, such as the board of education which now has three Negro members, would be abolished and replaced by citizens' advisory committees with little or no actual power.

Washington, which does not vote, has been fighting for enfranchisement, the Joint Citizens Committee sets forth, but the appointment of a city manager under suggested conditions would "further curtail the democratic process" and fasten about the city a virtual dictatorship. The committee suggests the election of a city council from electoral districts by popular vote, this council then to appoint the city manager and advise him on the selection of departmental directors. Any organization should include the granting of suffrage, the study says.

"The Negro minority of Washington has long been denied the most elemental civil liberties which the seat of a democratic government might reasonably be expected to guarantee," says the committee. "The Marian Anderson incident is but illustrative of many such undemocratic practices here. If Washington is to have a new and comprehensive city charter, it is important that that document forbid discrimination against any citizen because of race, religious faith or political belief."

The committee is back of the principles underlying the proposed establishment of a merit system for employes of the district, pointing out that although the Negro population is 27.1 per cent of the whole city, only two per cent of the firemen, three per cent of the police and except in public schools practically none of the clerical, professional or executive employes of the district government are colored. Recommended is the establishment of a civil service commission with Negro representatives and the appointment of the candidate with the highest qualifications instead of choosing from the top three, as is done in federal civil service to discriminate against qualified Negroes.

If control of the public schools is taken from the interracial boards and placed in the hands of directors responsible solely to the city manager as suggested by Girffenhage, it would hinder Negro education, the study sets forth, by abolishing the school boards where the race safeguards its educational interests through proportional representation and thus has the record of being the only really equal dual school system in the nation, by doing away with the Department of Research in Negro schools where studies of special concern to the race's welfare are conducted by Negro scientists, and by, with these as entering wedges, eliminating other good features of the present setup such as Negro officials on the grounds of "economy."

In addition to objecting to the Griffenhagen proposals for administering the Wage and Hour law and other measures, the committee is also against the plan to remove the recorder of deeds office from federal to district control, since its functions are far more federal than municipal.

Pointing out that congress seems bent on rushing through the Griffenhagen proposals, the committee asked all individuals and organizations to send messages to the president and congress protesting against the acceptance of the Griffenhagen plan and urging inclusion of the committee's suggestions.

Marian Anderson

A nation paid its respect to Marian Anderson, the internationally famous concert singer, on last Sunday when she sang in Washington, D. C. Seventy-five thousand Americans stood as she thrilled them with her lovely voice and a nation caught the melody over the waves. This was a repudiation to the Daughters of the American Revolution, who denied Miss Anderson the use of Constitution hall because of her color. Also it was a death blow at jim crowism and segregation throughout this land.

Miss Anderson's name has occupied more front page and editorial space than any member of our group. The publicity given Miss Anderson was the type that reflected credit to her, the race and created good will from others. The fact that many government officials and the people of Washington were instrumental in the appearance of Miss Anderson and the wonderful introduction given by Secretary of the Interior, Harold L. Ickes, is a gesture that segregation and jim crowism have no place in a democratic form of government. Miss Anderson's concert Sunday will go down in the pages of history as one of the greatest moves toward breaking down racial intolerance.

DISCRIMINATION- 1939

D.C.
MISS MARIAN ANDERSON AND THE DAUGHTERS OF THE AMERICAN REVOLUTION.- (D.A.R.)

Marian Anderson Snub Dismays Press

The D.A.R. and Miss Anderson

From New York Herald-Tribune

The Daughters of the American Revolution, by definition inherent in their name, are the descendants of those who fought to make this country free and to establish a government which would hold to certain ideals—ideals which seemed high at the time and which, come to think of it, still seem high.

That fact makes it all the more astonishing that the D. A. R. should have refused to permit Miss Anderson, the distinguished Negro contralto, to give a recital in Constitution Hall, Washington, on the evening of April 9.

It happens that the D. A. R. owns the hall and has the technical right to refuse its use to any one it sees fit. However, there is little wonder that persons of many faiths and many occupations have been delighted to make a vigorous protest.

If such a snub to a Negro singer had occurred somewhere in the deep South, it might have been understandable, although just as regrettable. But to see such a thing in the nation's capital, with the Daughters of the American Revolution the chief culprit, is, to use a word of extreme mildness, dismaying.

In the past, on occasion, the D. A. R. has stepped from the sublime to the ridiculous; in the case of Miss Anderson this distinguished old American organization has outdone itself.

A National Disgrace

From Philadelphia Record

Throughout the capitals of Europe, in all the great cities of the world, Marian Anderson, Negro contralto, has been welcomed and acclaimed.

In the capital of her own country, in Washington, D. C., Miss Anderson is now denied a suitable auditorium for a recital.

One has come to expect such things from the Daughters of the American Revolution, which refused Miss Anderson use of Constitution Hall, where many Washington musical events are given and which the D. A. R. owns.

But with Washington public school authorities also refusing Miss Anderson permission to transfer her concert to a school auditorium, the official nature of this shameful exhibition of intolerance calls for a Congressional investigation.

If the totalitarians don't snicker over this demonstration of democracy in reverse they will be far below form. And it is just such advertisements of bigotry which serve the purposes of those who profit from anti-American propaganda.

Jan Sibelius, Finnish composer and one of the greatest living masters, said when Miss Anderson visited him and sang for him: "My roof is too low."

Arturo Toscanini, conductor of the N. B. C. Orchestra and one of the true giants of the music world, called her one of the greatest singers of our day.

But to the D. A. R.—and to the Washington School Board—the color of her skin is all-important, the magic of her voice unimportant.

Philadelphians, particularly, will resent the episode because they have been proud to regard her as a "home-town girl" who made good in the face of enormous obstacles. Her appearances here are always packed, and at her last Academy of Music appearance, some weeks ago, she received an ovation such as is rarely accorded any artists.

Yes, Congress, out of respect for the name of the nation's capital, should go into this affair. And we hope the D. A. R.'s action will finally lead thousands of the real American women to belong to the organization to protest.

The D. A. R. leaders responsible for this may actually be daughters of men who fought in the Revolution. But, if so, their ancestors would be heartily ashamed of them.

Marian Anderson To Sing In Open Air As Rebuke To DAR

Marion Anderson, the internationally famous singer, who was barred by the Daughters of the American Revolution from using their tax-exempt Constitution Hall in Washington, D. C., for a concert, April 9, will sing in the nation's capital out in the open air, according to a statement made Saturday by her manager, S. Hurok.

In a telephone conversation from his home at 91 Central Park West, Hurok told the National Association for the Advancement of Colored People that Miss Anderson will keep her April engagement in Washington, when she will sing "out in the open air in the park immediately in front of Constitution Hall."

"Miss Anderson will sing for the people of Washington, and there will be no charge," he went on, "because the concert will be held out in the open. Our only stage doceration will be two American flags."

Protests against the action taken by the D. A. R., in barring the artist from their auditorium because of her race, and the subsequent banning of her by the District of Columbia school board from Central High School (white) has assumed national proportions. Famous artists, writers, liberal organizations, and persons prominent in the civic life of Washington have registered vigorous indignation in telegrams, letters and resolutions, which have been sent both to the D. A. R., and to the Washington board of education.

Washington Slept with Prince Hall, DAR Told

Dear AFRO:

German Nazis have done no more to the Jews than the Daughters of the American Revolution are doing morally to colored Americans. Who are the Daughters of the American Revolution that they can point the finger of scorn at Germany for her treatment of the Jews?

The daughters' prejudice may keep Miss Marian Anderson, recognized as one of the greatest vocalists, from the Constitution Hall in Washington, but she will be heard.

In 1776, when Gen. George Washington went to Colonel Pickering's quarters and found that there was no room for him, he gladly accepted the hospitality of the Colonel's aide, Prince Hall, a colored man, and slept in the same quarters on a straw bed and under the same blanket with Hall until the next morning.

Nevertheless, none of Prince Hall's female descendants, nor those of the other 3,000 colored patriots and more who fought with Generals Washington and Gage for America's independence, are eligible for membership in the D.A.R.

Neither are those of Colonel Middleton, the colored officer, who, with his company of black troops at Red Bank, N.J., defended General Green against the Hessians and British, losing nearly all of his men.

The daughters control their hall in Washington, which was built by the people's money, because it was largely financed by an appropriation of Congress from the U.S. Treasury.

With such a grandiloquent name and the people's money, there should be no discrimination when reputable citizens request use of the building.

The D.A.R. is not true to its name, integrity, and principles, but is prejudiced against those whose forefathers helped to make America free. The D.A.R.'s action in refusing the hall to Miss Anderson makes it appear that patriotism shown by colored people amounts to nothing when the whites are not in the hole facing the enemy.

The D.A.R. is just a sounding brass and tinkling cymbal of prejudice—a farce.

MOSES GRITT.
Washington, D.C.

REBUKED DAR?



Mrs. Franklin D. Roosevelt who strongly hinted at a press conference Monday that she had resigned from the Daughters of the American Revolution because of its ban against Marian Anderson.

Bravo, Mrs. Roosevelt

IN THE DETERMINED and fearless stand taken by Mrs. Eleanor Roosevelt, wherein she severed her connection with the Daughters of the American Revolution following that organization's denial to Marian Anderson, internationally noted singer, use of their Constitution Hall, in the city of Washington, the highly earnest and popular wife of the President of our United States, amply justifies the high place she holds in our "land of the free and home of the brave."

The action of Mrs. Roosevelt in stepping out of the important organization, because, as she writes, "to remain there will cause it to appear that I sanction such an unjust attitude," will do much toward discouraging injustices in all activities throughout our nation.

It is thoroughly plain to leaders of affairs both in public and private life, that petty discriminatory tactics only lead to strife-breeding, which if tolerated and encouraged, are certain to assume alarming proportions. The intolerance and persecuting methods of Hitler in Germany as he wages his tyranny of Nazism are no more to be denounced as unjust than the unnecessary prejudicial thrusts as directed at the talented Negro artist by the Washington organization.

Truly Mrs. Roosevelt is deserving of the plaudits of all fair-minded people in her fearless and outspoken advocacy of right and justice toward all men.

—From East Tenn. News

DUSTIN —off the— NEWS

— By —

LUCIUS C. HARPER

A LOT OF OLD WOMEN WHO ARE AGAINST EVERYTHING

MARIAN ANDERSON long since passed the status of an individual. She is a voice of eternal glory, loaned to earth through the "Land of the free and the home of the brave," but like the Savior, she came unto her own, and her own received her not.

Miss Anderson truly loves her native land; her people and all people. She sings in the beauty of the Seventh Heaven because there is where she lives day by day. With all the indignity of the Daughters of the American Revolution (D. A. R.), you have not heard—nor will you—one single word from Miss Anderson because she is so high above the pettiness of the Washington Daughters that it will take a thousand light years to have the tones from one of her entrancing solos reach the outer edge of the ear drums of the Daughters that first suggested that black artists shall not be permitted to use Constitution Hall which they own outright.

What a spectacle for Washington where Democracy pours forth. Miss Anderson has sung and been honored in all the great halls of America, and scores of foreign countries. In Russia — Communist Russia, to frighten you—there were thousands who appealed just to touch the hem of her garment. In South America they begged her to linger a while. In England, France, and Germany and Italy before the latter two went crazy, Miss Anderson, with dignity and reserve, gave to her eager public messages of faith, hope and love through the magic of her God given voice. But Constitution Hall, ruled by the Damned Arrogant Rebels (D A. R.) in our American capital—Cradle of Democracy—it can't be done.

THE so-called Daughters of the American Revolution—just how do they get that way, and why? Every one of them boasts of tracing her ancestry back to the Revolutionary War, and is supposed to represent the aristocracy—in a Democracy — of national background.

The first American to die for liberty in the days immediately prior to the Revolution was Crispus Attucks, a black man. He set the spark that made America an independent nation, and theoretically is given credit for making possible the Daughters of the American Revolution. What would have happened if Attucks had some daughters? Would his descendants be eligible for membership in the D. A. R., Boston and all New England honor his memory? A monument is erected on the Boston Commons where he fell dead from a British bullet.

History records that several thousand black soldiers did valiant service in the Revolutionary War marching side by side (no jim crow in the army then) with their white patriotic brethren, and were praised for their valor by commanding officers, including Gen. George Washington, Gen. Hancock, and Gen Andrew Jackson.

At Valley Forge when white soldiers, no doubt some of the D. A. R. ancestors, were threatening to quit Gen. Washington's forces because they had not been paid for three months, a black man, Prince Whipple, took up the oars along with a few white patriots and rowed Washington across the Delaware. Whipple lived to a ripe old age and had nine daughters and five sons. Most of the black Whipples now living are connected with him through blood relations. Whipple also captured a British general in Rhode Island by breaking in a door to gain entrance.

THEN there was Peter Salem who slew the British General Pitcairn in the Battle of Bunker Hill. Salem Road going out of Boston is named in his honor. Salem Poor also did notable service in the same battle.

Now for a little direct touch-up on the Daughters. Each year they hold a convention which newspapermen style the "Damned Annual Row (D. A. R.). They condemn liberalism and seldom praise anything but themselves. President Roosevelt gave them a tongue-lashing at their last meeting. They are dead against the New Deal.

"Remember always," Mr. Roosevelt said, "that you and I especially are descended from immigrants and rebels." Then he added: "We are looking for a younger generation that is going to be more American than we are." When Rupert Hughes wrote about the Puritans stating that many were degenerates and were so filthy that they had to pass laws to have them deloused, the Daughters hit the ceiling because many Puritan names are found among them. At present they have 143,000 members.

IN 1928 they issued a "Black List" which they informed other Americans "not to listen to these people." They condemned Jane Addams, Senators George W. Norris, William E. Borah, Smith Brookhart, Dudley Field Malone, Carrie Chapman Catt, Editor William Allen

Marian Anderson Extols First Lady



SAN FRANCISCO—"I am not surprised at Mrs. Roosevelt's action," said Marian Anderson Monday, "because she seems to me to be one who really comprehends the true meaning of democracy. I am overlooked beyond words to be barred from the capital of my own country after having appeared in every other capital in the world."

NEW YORK—"By her action Mrs. Roosevelt has shown herself to be a woman of courage and excellent taste. I applaud her," said S. Hurok, Miss Anderson's manager. "Her resignation from the D.A.R. is characterized as "one of the most hopeful signs in these troublesome times for democracy."

Cultural Note

From Washington (D. C.) Daily News

Marian Anderson is one of the greatest singers of our time. The famous Arturo Toscanini calls her the greatest, with no qualification. Doubtless you have heard her indescribably beautiful voice over the radio.

Syria Mosque in Pittsburgh is one of America's great Music structures. Two weeks ago Miss Anderson sing there to a capacity audience—4,000 persons.

A week or so ago, she was refused permission to sing in Washington's Constitution Hall, which is owned and operated by the D. A. R.

Yesterday, Washington's School Board refused to let her appear in Central High School Auditorium.

Miss Anderson is a member of the Negro race.

DISCRIMINATION - 1939

D.C.
MISS ANDERSON AND THE D.A.R.

Norfolk, Va. Pilot
April 20, 1939

The D. A. R. States Its Case

The Marian Anderson controversy was unavoidably on the agenda of the Daughters of the American Revolution now in annual convention at Washington. Something had to be said to fumigate the bad smell created by the refusal of the management board of Constitution Hall to rent the auditorium for a concert by the famous Negro contralto. The President-General, Mrs. Henry M. Roberts, Jr., stated the case for the D. A. R. in a 1,300-word review of it which contrived to mention neither Miss Anderson nor Mrs. Roosevelt.

The concert booking was refused, Mrs. Roberts explains, not because of "prejudice, personality or discrimination," but because a seven-year-old rule binding "all similar properties" in the District of Columbia would have had to be breached if the concert had been booked. The rule, said Mrs. Roberts, was adopted "because of unpleasant experiences in attempting to go contrary to conditions and customs existing in the District of Columbia." Violation of it, she explained, would have exposed the D. A. R. to legal responsibility for breaching its own agreements with concert bureaus regularly using the hall.

Until one knows the text of the "rule," its binding quality and the circumstances under which it was adopted, it is difficult to judge the extent to which it deprived the D. A. R. of liberty of action. Mrs. Roberts refrains from giving information on any of these points. Apparently it was a jointly-assumed rule restricting use of the affected properties by Negro artists. If so, it remains a first-class mystery why "conditions and customs existing in the District of Columbia" require such a restriction as to the public auditoriums of the national capital, when no such restriction is found necessary in cities like Norfolk, Richmond and Birmingham where the same "customs and conditions" exist and in perhaps a more compelling form.

At most, the D. A. R. defense is legalistic. It does not touch the underlying question of the moral obligation of the D. A. R. to set an example of enlightened social responsibility, because of its possession of the only first-class auditorium in the national capital—an auditorium, moreover, that is allowed exemption from taxation on the theory that it is dedicated to a special cultural mission.

One can only hope that a realization of this responsibility will be one of the profits of the lamentable Marian Anderson episode, and that it will move the D. A. R. to retire from an unworthy District of Columbia combination in restraint of the fine arts. If that be a revolutionary thing to do, the Daughters might remember that they are descended from individuals who did not hesitate to take a revolutionary step when they were convinced it was right.

Gulfport, Miss. Herald
April 26, 1939

A COMMUNITY MATTER

Not long since Marian Anderson, a Negro contralto of high repute, was to give a recital in Washington, and Constitution Hall, controlled or owned by Daughters of the American Revolution, was sought for it. The management declined to let it be used. There followed much criticism, and Mrs. Franklin Roosevelt resigned from the Daughters' o'rganization in emphatic protest. Other critics decried the denial as race prejudice, and recently some group wrote to the D.A.R. officers about it. The letter was ignored—doubtless because of the tone of it. Again a letter was received, asking the officials to receive a delegation favoring the concert courtesy to the Negro singer, and to consider certain points contained in the former letter. There was some threat of picketing the Hall, but this was abandoned.

Last Tuesday, before the Daughters' congress, Mrs. Henry M. Roberts, Jr., President-General of D. A. R., made a statement, saying that the community apparently was not ready for a policy differing from that adopted by D.A.R.

If or when the community has "worked out its problem" and adopted other and higher standards, she said, the society willingly would adapt its own policies to them. Meanwhile it would not again attempt to operate in conflict with community practice.

"This is not a question for the Daughters of the American Revolution alone to solve," she said. Some hearers considered her address a rebuke to critics of the D. A. R. policy, including Mrs. Roosevetl and Secretary Ickes. Her explanation and defense was applauded by the 4,500 daughters assembled in the hall as was her final statement, in which she said:

"If this incident can teach that issues must be clear-cut and free from entanglements which obscure the real principles involved; if it can lead the members to know more of the problems and difficulties of the society and emphasize the necessity of seeing the whole picture before forming judgment; if it can lead those who speak without knowledge to search for truth; if it can emphasize the need of decisions without malice, and a patriotism without prejudice, it will have served its purpose."

At no point in her discussion was any name, even that of the excluded singer, mentioned by Mrs. Roberts, nor was the "rule" in question identified other than by implication as one adopted with special reference to Negro artists.

"Let all understand that there never was a question of one person or one artist," she said. "The only question under discussion was whether in view of all existing conditions an exception could be made in rules of long standing."

Charlotte N. C. Observer
April 17, 1939

DEMANDING USE OF AUDITORIUM

Insist Artists of Race Be Given Concert Dates in Washington Hall.

WASHINGTON, April 16.—(AP)—The Marian Anderson controversy broke out anew today as several thousand members of the Daughters of the American Revolution arrived in the capital for their 48th Continental Congress.

Charles H. Houston, chairman of a self-styled Citizens' committee which protested against the D. A. R.'s recent refusal to make its auditorium here available for a concert by the famous negro singer, said the committee had asked the D. A. R. to open Constitution Hall to negro artists in the future.

There were reports the committee might picket the D. A. R. congress, but Houston said there was no plan for pickets to greet delegates at the opening session tomorrow.

"We are trying to approach this in an amicable fashion," he said.

"We sent a letter to the D. A. R. Thursday. We asked that Constitution Hall be opened to negro artists, that no reputable organization, including Howard university (for negroes), be barred from sponsoring a concert there, and asked to be advised what dates would be available for all next season."

Houston said no reply had been received and that the committee would send another letter to the D. A. R. tomorrow asking that a delegation be received Wednesday or Thursday to discuss the three points of the first letter.

First-arriving delegates to the congress braved a steady rain today to make pilgrimages to Arlington cemetery, Mount Vernon, and other shrines. There also was a memorial service honoring 2,473 members who died in the last year. General tribute was paid by Mrs. Henry M. Robert, Jr., of Annapolis, Md., president-general completing her first year in office.

Special recognition was given the late Mrs. George Thacher Guernsey of Independence, Kas., a former president-general; and the late Mrs. Mary Pool Newsome of Gibson, Ga., whose death in February at the age of 88 left only two surviving "real" daughters of revolutionary soldiers.

Mrs. Keyser Fry of Reading, Pa., credentials chairman, estimated 4,500 delegates and members would attend the congress. 10

Before Concert Started



Secretary Harold Ickes of the Department of Interior, is shown here greeting Miss Marian Anderson, world's greatest singer, shortly before she gave her Easter concert on the steps of the Abraham Lincoln memorial in Washington. More than 75,000 persons heard her sing. Practically every notable in the capital except Vice President Garner, accepted invitations. Garner refused to go.

Congressman Declares D.A.R. Should Adopt Tolerant Attitude

Mitchell's Recommendations Appear in Letter Sent To DAR's President-General

WASHINGTON, D. C.—(SNS)—The Marian Anderson D. A. R. controversy flared anew this week when Congressman Arthur W. Mitchell of Chicago, eulogizing the late Senator James Hamilton Lewis, recommended that the D. A. R. adopt the "tolerant attitude" of the late Senator and "stop talking so much about Americanism and live the kind of life that will challenge the admiration of people who believe in virtue, honesty, and patriotism."

Referring to the resignation of Mrs. Roosevelt and others from the organization because of the Marian Anderson controversy, Congressman Mitchell in a letter to the President-General of the D. A. R. said: "It seems to me that an organization is getting in rather bad shape when the most distinguished and best meaning women in the country have to sever their connection from that organization because of its narrow view on racial matters."

"It is difficult for me to understand the attitude of the D. A. R., especially so, in view of the fact that among the first four Americans who gave their lives for the independenc of America was Crispus Attucks, a Negro who fell on State Street in Boston at the very beginning of American hostilities under British rule," Mitchell wrotc.

"Do you conscientiously think that your organization, pursuing the policy that it is pursuing with regard to minority groups, and especially the Negro, is making any contribution to the building of substantial American citizenship? Is it your idea that real patriotism should be colored and shaped by race prejudice?

AMERICANISM

"No wonder people of other countries cannot understand what we call Americanism. Men like the late Senator Lewis and the wonderful contributions made by them to building citizenship are the safest guarantees for the continuance of a great democracy in this country."

In a speech on the floor of the House concerning the passing of Senator Lewis, Congressman Mitchell said:

"I am in a position to know real friends as many of you might not be. Because of the color and hue of my skin and the race with which I am identified, I have an opportunity to see the bigness of men's hearts as a great many people cannot see it."

He said that in the passing of Senator Lewis, the nation lost one of its outstanding statesmen and diplomats, the world lost one of its greatest scholars and most polished gentlemen, and: "My race has lost a friend—tried and true."

DISCRIMINATION- 1939

D.C.
Miss Marian Anderson and the Daughters of the American Revolution. -(D.A.R.)

NO VICTORY HERE

WE CANNOT GET enthusiastic about the action of the Board of Education of Washington, D. C., rescinding its former action and approving a compromise motion granting permission to Marian Anderson, the world's greatest contralto, the use of Central High School auditorium for a concert on April 9th.

We cannot get enthusiastic about this because there was no victory in it simply because in voting permission for Miss Anderson to use the auditorium the board did so with strings attached—on the provision that a similar request would not be made again.

While we regret the insult to Miss Anderson in her efforts to sing in Washington, we believe that it will have a salutatory effect in that it shows to the world just how democracy works in the nation's capital where jim crow is rife and where Negroes may not go where they wish to or can afford to.

Nationwide publicity has focussed the eyes of the country on discrimination against Negroes in Washington. First came the refusal of the Daughters of the American Revolution to allow Miss Anderson to sing from its Constitution Hall and then the refusal of the Board of Education of the use of the Central High School auditorium because that is a school for white children only. Leading citizens, white and colored, immediately joined the fight against the ban and Mrs. Franklin D. Rooseveit took the lead by tendering her resignation from the D. A. R. because of that organization's attitude. Leaders in Congress also joined the fight and announced that they would appear in Miss Anderson's behalf before the Board of Education to force it to rescind its order of refusal.

We do not think, however, that the Board of Education has had sufficient pressure brought to bear on it when merely to stem the tide of wrath it says on the one hand that Miss Anderson may use the auditorium on April 9th providing she does not request the use of it in the future. When this editorial was written, neither Miss Anderson nor her management could be reached for a statement on this compromise or as to whether she would accept the terms incident to her appearance, but it is the general feeling among those with whom we have discussed the matter that Miss Anderson should refuse to use the auditorium under such terms.

If Miss Anderson does decide to sing in Central High School under such terms, the race will have won no victory for it will mean condoning a system which is vicious, is undemocratic and against all principles of Americanism. It would be far better — even though it might be dangerous to her beautiful voice—for Miss Anderson to go through with her plan to give a free open air concert in the park opposite Constitution Hall than to give in to those bigots on the Washington Board of Education.

Let the keynote be "Not compromise but fight" against those who would deny us entrance in or use of a government-owned and financed school building. Fascism, Nazism and all other isms against which this country has protested and fought must be laughing at these occurrences right in the nation's capital and Mussolini and Hitler can rightly reply to official protests from this government....."He that is without sin among you, let him first cast a stone....."

To Sing In White Hi School

3-5-39

Petition With 3,000 Names Is Presented Board

WASHINGTON—(SNS) —The Board of Education reversed itself Friday and voted to permit Marian Anderson, noted contralto, to sing in the white Central High School Auditorium on Easter Sunday.

Miss Anderson had been barred from the auditorium following a similar ban from the Constitution Hall, controlled by the Daughters of the American Revolution. The D.A.R. ban developed into a national controversy, with Mrs. Eleanor Roosevelt, the First Lady, announcing her resignation from a "major organization," said to be the D. A. R. group.

FOLLOWS PROTEST

In reversing itself to permit Miss Anderson's appearance, the board of education followed the desires of thousands of local citizens and national notables, who protested the ban. Hundreds of indignant colored Washingtonians crowded Franklin school Wednesday to hear petitions presented the board, asking that Central High School ban be rescinded. Speakers at this meeting included Attorney Charles Houston, of the N.A.A.C.P.; Signey Katz, secretary-treasurer of the C. I. O. for this region and many other notables.

Laying the case squarely before the board, Attorney Houston charged that the excuse given in denying permission to use the hall was obviously a pretext and cited case after case to show that other groups had used the hall of the school for "gainful purses" and no action against them had been taken. He asked if Miss Anderson might give a free concert at the school, pointing out that the students leave the institution at 3 p. m. and that Miss Anderson's recital would not begin until 8 p. m.

3,000 SIGN PETITION

Submitting a petition of 3,000 names Mr. Houston also read a telegram from Senator Henry Cabot Lodge, Republican of Massachusetts urging reconsideration of the case.

Sidey Katz joined Mr. Houston in the argument, denouncing the action of the board and comparing it to the treatmet of Jews and artists of Jewish extraction in Germany. He flayed the Daughters of the American Revolution, calling them "old fogies."

From over the nation, repercussions on the case are still being heard. At Berkley, Cal., Dr. Elsie Reed Mitchell, honorary life member of the society, followed in Mrs. Roosevelt's footsteps in announcing her resignation from the group. He said he was "not in accord with the organization's action in the Anderson matter."

ORCHESTRA ASKS BAN

Members of the Philadelphia orchestra which played at the D. A. R. hall, where the first rebuff was given Miss Anderson, said they would ask the American Federation of Musicians to forbid its members to play in the building. C. C. Capell, head of the National Symphony orchestra, said if the request is granted, the National Symphony group would be unable to appear in Washington, since Constitution Hall is the only auditorium sufficiently large.

The liberal Society of the Descendants of the American Revolution, which has asked Mrs. Roosevelt to join it, passed a strong resolution last week, condemning the D. A. R. action. The statement issued by this group, read: "We as Descendants of the American Revolution, rejoice that the First Lady shares the common bond of revolutional ancestry with us. She has stood for principles established on this continent by our forefathers. The Descendants of the American Revolution would welcome her to the organization."

Colored leaders are using the situation to settle once and for all the matter of racial discrimination in public buildings in Washington.

WILSON ON DEFENSE

At the Wednesday meeting, John Wilson, colored member of the board of education which reversed itself Friday, who was severely criticized for leaving the first meeting before a vote on the situation was taken, attempted to justify his action by declaring he had "a previous appointment" which was urgent for him to keep. It was noted at the Wednesday meeting that he concurred with the white member of the board to vote for referral to the committee, while Col. West A. Hamilton, another colored member of the board wanted immediate action at the assembly and sought to have the order rescinded at the same meeting. Col. Hamilton felt that the issue could be settled at that point and defended his motion, which lacked a second, warmly.

The committee on buildings of the education board made the final action in reversing the first decision.

Atlanta, Ga. Georgian
March 2, 1939

Our Town

By Dudley Glass

News-Views

ONE DAY last spring this column printed a bit of beautiful sentiment, clipped from some source we have forgotten. It was called "The Legend of the Dogwood," and it was credited to no author.

We had so many requests for copies of it we ran ourself ragged looking up back issues to clip.

A little later somebody wrote us that a former newspaper man, J. L. Miller, of Ozark, Ala., was the author. We wrote Mr. Miller and he replied, saying he had written and published it in March, 1936. It wasn't copyrighted.

This week we have had three requests for copies—from garden clubs and individuals. But we have found only one copy among a stack of clippings.

So we think we'll print it again—so anybody interested can cut it out and save it instead of writing to us for a copy. Here it is:

At the time of the crucifixion the dogwood attained the size of the oak and other forest trees. So strong and straight was the wood of it that it was chosen for the timber for the Cross. To be thus used for such a cruel purpose greatly distressed the tree, and Jesus smiled upon it, sensed this, and in His gentle pity for sorrow, said to it:

"Because of your regret and pity for My suffering I make you this promise:

" 'Never again shall the dogwood tree grow large enough to be used for a cross. Henceforth it shall be slender and bent and twisted, and its blossoms shall be in the form of a cross—two long petals and two short petals, and in the center of the outer edge of each petal there will be nail prints, brown with rust and stained with blood. And in the center of the flower there will be an image of a crown of thorns and all who see it will remember that it was upon a dogwood tree I was crucified, and this tree shall not be mutilated or destroyed, but cherished as a reminder of My death upon the Cross.' "

J. L. MILLER.

It is pleasing to note that the several Southern newspapers which have commented on the refusal of the D. A. R. in Washington to permit Marian Anderson, the negro contralto, to sing in Constitution Hall have voiced regret at the discrimination.

We cannot remember that a negro artist has ever suffered from such discrimination in Atlanta. Roland Hayes, the fine tenor, has sung several times here and the famous Tuskegee Choir has made at least one appearance. Both drew large audiences from the concert-going public.

In justice to the D. A. R., its officers explained that the hall had been rented—for the afternoon—for another entertainment and it was customary to consider it engaged for the entire day—afternoon and evening.

It is odd that Washington, of all cities, should be the scene of discrimination on account of color. If there is any city where the negro asserts himself and claims—and gets—all he thinks his due it is Washington. At least, in political Washington.

Judge Puffle's invention—a device which locates misplaced eyeglasses—makes no appeal to us.

We don ours first thing after a bath and shave and wear them until we retire to our night's repose. So we always know where they are.

But we were terribly upset a few mornings since. We were just out of the bathroom when the phone rang. We answered that imperative call—which threw us out of our routine—and then settled down to find out whether—for a change—there was any news in the morning paper.

Suddenly we discovered we had gone blind. Nothing but the eight-column headline over nothing worthwhile registered with us.

We hesitated to break the news to the family. But we summoned our courage and confessed the inevitable had come to pass.

"Maybe it isn't so bad as all that," remarked the Light of Our Life. "Why not put on your glasses?"

We've never had a prescription which brought better—or quicker—results.

Most of the dramatic critics of New York came to the conclusion several years ago that Tallulah Bankhead, the Alabama actress, was "washed up." She hadn't appeared in a successful play for many seasons.

But we're glad to learn that Tallulah has "come back." That is, if had ever gone away. The critics all say her current Broadway play, "Little Foxes," is a wow and that she is doing excellent work.

They're never dead until they're buried.

Golfers who are not members of the country clubs, the fellows who pound their way around the public courses, are to have a chance to see and pay tribute to Atlanta's two idols of golfdom.

On the evening of March 7, at the Athletic Club, a dinner will be given in honor of Bobby Jones and Charlie Yates to which the public is invited—at a price. The hosts will be the Atlanta Public Links Golf Association, of which George Clayton is president.

Washington, D. C. Post
February 25, 1939

Anderson Protest Set in ColoredChurch

White Congregation's Objection Accepted to Avoid Hurting Pastor

Leaders of tomorrow's proposed mass protest against denial of two auditoriums here for a concert by Marian Anderson, colored contralto, yesterday canceled plans to hold the meeting at Mount Pleasant Congregational Church.

They asserted they were taking the action voluntarily after a group of church members had protested the permit granted by the pastor, the Rev. Fred S. Buschmeyer.

The meeting, expected to draw 1,500 sympathizers, instead will be held at Lincoln Congregational Church, 1701 Eleventh street northwest, a colored church, at 4 p. m. The rally was called by a citizens' committee after use of both Constitution Hall, operated by the Daughters of the American Revolution, and Central High School auditorium was refused for the singer's recital, scheduled for April 9.

"Feel No Resentment"

U. Simpson Tate, chairman of mass meeting arrangements, declared last night his committee decided to change the meeting place when it learned that a "D. A. R. and reactionary group" of Mount Pleasant Church had "put the pastor on the spot."

"We feel no resentment in the matter," Tate said. "If that's the temper of any part of the congregation, then it is best we avoid any embarrassment for the Rev. Mr. Buschmeyer and hold our protest in other quarters."

The Rev. Mr. Buschmeyer said last night, "I had assumed it would be all right," but that "doubt has been expressed by a minority of the congregation." The pastor pointed out he had planned to place the question before the church trustees when opposition arose but the protest committee informed him it would accept the offer of a meeting place by Dr. R. W. Brooks of the Lincoln Church.

Congressman to Speak

Tate said 70 District organizations planned to send representatives to the rally and announced the following speakers: Representative Keller (Democrat), of Illinois; Doxey A. Wilkerson, professor of education at Howard University; Dr. James M. Nabrit, of the Howard University law faculty, and Clarke Foreman, director of the PWA power division.

The Citizens Committee will appeal the school board's refusal to allow use of Central High auditorium at a hearing Wednesday.

Fred E. Hand, manager of Constitution Hall, denied a charge that the auditorium had been offered to another artist for the evening of April 9 after the request of Miss Anderson's manager had been turned down.

There is enough race prejudice elsewhere in the world for Americans to understand its littleness and its viciousness. There is enough of bigotry, of false evaluation, of fake gentility for most Americans to know better. That they don't is not a reflection upon the object of their ignorance, but upon their ignorance itself.

Marian Anderson is coming to Georgia to sing in concert soon. Her appearance will be in Atlanta—where General Sherman started his cruel march to the blue Atlantic. In Georgia more than anywhere else one might expect to find ugly prejudice and misunderstanding. But more Macon persons already have made plans to attend the Marian Anderson concert in Atlanta than have any others who have attended out-of-town musical events this year.

This is evidence that as far as concerns those who love music, it makes no difference whether Marian Anderson is white, black, green or purple. It may be true that some loud and ill-bred minority thinks otherwise, but now is a good time for Georgians to determine that they will repudiate any effort such as that which has kept a great singer from performing in Constitution hall.

Macon, Ga., News
February 28, 1939

Because She Is Black

Marian Anderson is one of the greatest contraltos of her generation. Artistically, the fact that she is a Negress does not enter into evaluation of her greatness. By any other standard, knowledge of her racial origin makes her greater.

Because of that it is shameful that a so-called patriotic organization of American female snobs has undertaken to exert pressure preventing the use of Constitution hall in Washington to Marian Anderson for a concert.

Legion Field Barred To Pensacola Negroes

PENSACOLA, Fla.—SNS—Many baseball fans were disappointed last Sunday when they went out to Legion Field to see a baseball game scheduled to be played between The Mobile Black Shippers and THE PENSACOLA BLACK FLIERS.

The reason given was that the white people of that vicinity had signed a petition against the lease of the park to any race members, yet this is a municipal park and race members pay taxes as well as any one else.

Our money helped to build the stadium. It is customary in all the cities of the South to share their park with race baseball clubs when the home team is on the road.

AMERICA is noted as the best sporting nation on earth, yet in Pensacola Race citizens are deprived of America's number one sport.

FLORIDA INSULTS STENIO VINCENT

U. S. State Department Unable to Break Down Color Barrier—Forced to Leave on Private Train.

BULLETIN!

PHILADELPHIA, Dec. 14 — Reports that Major R. R. Wright, Sr., banker of this city, will shortly be appointed honorary Consul General for Haiti in this city, were circulated this week at the same time that announcement was made that the banquet scheduled for Wednesday of this week at the Ritz Carlton Hotel in honor of President Stenio Vincent, had been postponed because of the pressure of official business in Washington which has detained the distinguished Haitian.

MIAMI, Fla., Dec. 17.—I Jesus Christ were a blac man and came to Miami would the Son of Man be ab to find any place to lay his head

All the king's horses and a the king's men tried here last Mon day to find a place for Stenio Vin cent, president of the Republic o Haiti, to lay his head, and FAILED!

President Vincent is making a visit to the United States to confer with President Roosevelt.

He left Port au Prince last week on the Venezuelan clipper transport plane for Miami, where he planned to spend a few days before proceeding to Washington.

Four days before his scheduled arrival here, representatives of the United States State Department, in accordance with established customs attending the visit of another head of State, came to Miami and had been busy in preparing to welcome President Vincent.

Among the American representatives were: Stanley Woodward, one of the chiefs of protocol (diplomatic social procedure), and F. L. Mayer, U. S. Minister of Haiti.

THERE'S NO STOPPING PLACE DOWN THERE

First on the program, naturally, was the selection of a stopping place for His Excellency. But the State Department did not know its Miami. Sixty-year-old President Vincent is a black man and, regardless of what Americans say about the treatment of Jews in Germany, Miami is unprepared to welcome a black visitor to this country.

It made no difference to the hotel keepers of Miami that, once in Washington, Mr. Vincent rates a 21-gun salute.

The same hotels which have played host to Al Capone, Americas' former Public Enemy No. 1, and other notorious gangsters, declined and refused to give accommodations to the head of the republic which, during the Revolutionary War, sent soldiers to help the original thirteen colonies to win their independence.

When the State Department fell down, representatives of Pan-American Airways tried. They had no better luck.

COOLS HIS HEELS AT MIAMI AIRPORT

So, in the same manner in which Eminent Scientist George W. Carver was left cooling his heels in the lobby of the New Yorker Hotel some weeks ago, President Vincent was restricted, while in Miami, to a bogus reception at the airport while arrangements were made to provide a private train to take him to Washington where Marian Anderson was denied the use of Constitution Hall.

In Washington, President Vincent and the nine prominent Haitian officials who accompanied him, were to confer with President Roosevelt and Secretary of State Cordell Hull about Haiti's economic problems.

It was through President Roosevelt's "Good Neighbor" policy that American marines were removed from Haiti five years ago.

Because of the European war, Haiti's exports to France have been decreased and Mr. Vincent is said to seek an American market for some of these commodities notably Haitian coffee.

Prejudice

Dread Contagion Knows No Barriers

By JEROME DAVIS
President, American Federation of Teachers

Children start life without race prejudice. They soon acquire it from society. The school environment may be a fertile breeding ground since the contagion passes from person to person. Oftentimes children will bandy around such epithets as "dago", "Jew," without the slightest comprehension of what they mean.

Propaganda has much to do with the inculcation of these attitudes in others. Everyone knows the terrible consequences of the anti-Jewish persecutions in Germany. In the United States the government does not foster such propaganda but there are about eight hundred pro-Fascist and pro-Nazi organizations which do. They have conducted a studied campaign to make "Jew" and "Communist" terrible ogres in the public mind. In large measure they have achieved this as far as "Communist" is concerned and they have gone a long way in making the term "Jew" odious to many.

To show how they operate let us cite a few instances. The conservative columnist for the "Herald-Tribune" has attacked the German Government. Therefore, "Liberation", the Silver-shirt weekly, denounces her as a Jew, declaring her real name is Dorothy Thompson Levy. Another propaganda sheet, the "Defender", declares that the Federal Council of Churches of Christ in America is Communist. The American Nationalist Confederation declares that John A. Ryan, a well known Catholic educator, is a Communist, while the "Revealer" has purported to show "Roosevelt's Jewish Ancestry."

SPECIAL BRAND OF PREJUDICE

In addition to this type of propaganda America has her own special brand of racial prejudice against the Negro. Even Congress has thus far been unwilling to act to stop lynching. It is not only in the South that racial intolerance occurs. Every year our Federation has the greatest difficulty in finding hotels which provide equal treatment to all delegates, white and black. Even at our Convention in 1937 in Madison, Wisconsin, we found racial intolerance. A waiter in one of the leading hotels actually broke up the dishes that one of our Negro delegates had used before the very eyes of the Negro himself.

Racial prejudice is like a dread contagion which sweeps over mountains, across oceans, and brushes aside national barriers. No one should be naive enough to think anti-semitism ravages only Nazi and Fascist cultures. It is true it is incubated and propagated in such culture pockets. Just as the deadly malaria mosquitoes breed in the swamps, so anti-semitism lives and moves and has its being in the Nazi and Fascist culture, but it also comes even to free America. And the worst of it is that we have not discovered a real method of quarantining this deadly pestilence. It comes to us by cable in the morning newspaper; it dazzles our eyes in the movies and we can't help absorbing it as we listen to the radio in our homes.

ANTI-SEMITISM GROWING

One index of all this is the restrictions imposed on Jewish students in our eastern colleges, not to mention prejudice within campus walls. Consider the Jewish student graduating with honors and winning his doctorate with brilliance, yet having almost all college teaching positions denied him. Indeed, anti-semitism is so ingrained in the very fibre of the social order in which Americans grow up that they hardly know that they have been subjected to it. Let me cite two examples:

A friend of mine, whose whole life has championed racial equality, was invited to lecture in a leading Jewish synagogue. Much to his surprise when he took the platform and looked at the audience, it was only here and there he could detect a Jewish face, and so he concluded that it was Gentiles who had come to hear him. Afterwards he asked the presiding Rabbi why it was that more Jews had not attended the lecture. "Why", said the Rabbi, "they were all Jews." My friend suddenly came to the realization that all his life he had been carrying around a mental stereotype of a Jew and so he had thought there were few in the audience.

Again, the son of a Protestant minister who was very proud of his absolute racial tolerance told me about his son who attended public school and gradually learned from some of the students that Jews were to be looked down upon. When the boy communicated these ideas to his father, he was told that this was a very wrong attitude, that Jews were just as good as anyone else, and that some of the greatest leaders, including Jesus of Nazareth, were Jews. The boy said nothing but the next day after school came back to his father and said, "Dad, is it really true that Jesus was a Jew?" "Why yes, of course, my son. I am trying to build the pattern of my life on His ideals." "All right, Dad," said the boy, "but if that's true, I just want you to know that I'm off this Jesus business for life."

MUST PRACTICE DEMOCRACY

Now what can be done to stop this deadly infection which, if allowed to persist, may destroy the ideals of free democratic America? It is not enough to teach the realities of the Nazi menace, to portray the terrible example of the destruction of culture in Germany, we must also do positively and creatively.

Our schools must not only teach racial equality, they must demonstrate it in the school and community life. Racial prejudice must be painted in its true colors, just as murder, theft, and lying are. The man or woman who insinuates that someone must not be elected because of his race should be pilloried as a traitor to American ideals. In the schools, over the radio, in the press, and in the moving pictures, the great achievements of Jewish and Negro writers, thinkers and doers should be recorded so that no American could longer tolerate the myth of Nordic superiority.

Thus, just as we can reduce the incidence of disease by building strong, healthy bodies in healthy communities, even if an occasional individual is struck down, so we can prevent racial prejudice and political intolerance by building individuals and communities which are propaganda-proof. Our communities must so understand and practice democracy that racial prejudice and the hurling of "Communist" at all we disagree with will be a thing of the past. Prejudice is the very antithesis of democracy.

Let every member of our Federation be an educator of racial understanding and good will.

SEC'Y ICKES STOPS RACE HATRED RALLY

Denies Use of Sylvan Theatre On Washington Monument Grounds for 'Gentile Rally' by National Gentile League, A Race-Baiting Organization

—Permission to hold a three-day "gentile rally" in the Sylvan Theatre on the Washington Monument grounds was denied this week by Secretary Ickes to the National Gentile League, Inc., a fascist outfit with headquarters in this city.

"The Sylvan Theatre belongs to all of the people of the United States regardless or race, color or creed," the Secretary of the Interior stated, "and for that reason we should not permit its use by an organizaion that, according to its letterhead and the body of its application, is designed to foster, if not to create, race prejudice against another group of American citizens."

The organization, describing itself as "international" and as the "united gentile front," gave its slogan as "Gentile supremacy vs Communist slavery" and its appeal as "Vote gentile, buy gentile."

Bishop Scores Race Hatreds

Los Angeles, July 24.—Racial prejudice among Christian people was condemned as a form of spiritual near-sightedness by the Rt. Rev. W. Bertrand Stevens, Episcopal Bishop of Los Angeles, in a sermon here yesterday.

"Not far from here," declared Bishop Stevens, "a former missionary to Japan found Japanese Christians, products of Christian missions in Japan, reading morning prayer together in a little grocery shop because they had been told they were not wanted in the parish church.

"Why will we be so inconsistent and stupid as to spend money and service to make Christians in foreign lands and then deny them, in this country, the elementary Christian courtesies?

"The German persecution of the Jew is an abhorrent thing. The whole world is shocked and rightly protests. But one effective way to protest is to mend our own fences, to eliminate the all too obvious American equivalents of the German situation and to determine that the ugliness of racial hatred shall find no place in the American scene.

"It is not only racial antipathies we have to meet, however.

"In the Christian church we have our selfish parochialism, our defiant ludicrously liberal types of liberalism and an infinite number of provincial prejudices that deny the basic principles of Our Lord's teachings.

"The literal eyes-on-the-ground spirit is at work quite as actively as in the days of our Lord. We live as persistently on the lower levels of life. Literalness is not merely accepting things at their surface value, it is refusal to live life on the basis of the high and holy assumptions."

Noted Radio Commentator Apologizes To Negroes

WASHINGTON, D. C., May 26 — Edwin C. Hill, nationally known radio commentator apologized for the use of the word "darky" in a radio broadcast last week in a letter and telephone call to Dr. C. Herbert Marshall, newly elected president of the N.A.A.C.P. branch here.

While reporting the Pimblico Preakness last Saturday, the commentator referred to colored persons in attendance as "darkies." The next day Dr. Marshall telegraphed him in New York expressing objection to the term used.

Mr. Hill called him by telephone from New York the same night, and sent him a letter the next day, in which he declared that he meant no offense to the Race; that he had always thought the word was used as an affectionate term, and was glad to be informed of any error that he might have made.

"I am writing, as I told you I would," his letter to Dr. Marshall stated, "exactly what I said to you over the telephone this afternoon; that the use of the word 'darkies' never, to me, carried a derogatory implication.

Never Used "Coon"

"I have never in all my life used the word 'Coon' or 'nigger.' My use of the word 'darkies' was due solely to a lifelong belief that it was an acceptable term implying a certain amount of affection and intimacy.

"That view is supported certainly to a considerable extent, by the fact that a great artist of your race, Paul Robeson, often sings "That's Why Darkies are Born.'

"Joel Chandler Harris, born and reared in the South, had a Negro mammy and was very fond of the Race, yet he constantly used the word 'darky.' The songs of Stephen Foster, 'Swannee River,' 'My Old Kentucky Home' and all the others are full of the expression: 'Oh Darkies, how my heart grows weary,' and 'That's when the darkies, they are gay.'

No Offense Intended

"With this in mind I had no notion that the word was opprobrius. I know for a fact that I have many thousands of listeners among Negroes, not only here in the city of New York, but elsewhere throughout the country. I have had countless letters from members of the Race complimenting and praising me on the way I have handled the Joe Louis fights and other broadcasts of encouragement and benefit to the Race.

"I would feel very badly about the matter if I thought I were losing any of these valuable listeners and I would appreciate it if you would feel inclined, wherever occasion arose, to state to anyone just what I have written you here."

Racial Discrimination

Sirs:

Mr. Caldwell in his letter in TIME of April 24 is a bit hysterical and conclusion-jumpish about racial discrimination on a trip of which he admittedly saw only the tail-most end.*

When I crossed from Europe on the *St. Louis* in March the ship's passengers in all classes were preponderantly Jewish. . . .

When I first saw the heavily Jewish passenger list I was in the same frame of mind as Mr. Caldwell—all sympathy and just waiting for a chance to condemn any discourtesy on the part of German passengers or ship's personnel. . . . Instead, they made themselves thoroughly objectionable, with the exception of two charming families who, by the way, did not mix with the others. They stared and made loud comments about fellow passengers, they were rude and demanding with the stewards, they made the decks and public rooms as untidy and dirty as I have never seen them on a German boat, were noisy during concerts and made as free with others' deck chairs and rugs as with their own. It may sound petty, but over a week of constant bad manners gets on your nerves.

Don't forget my sympathies were *all* with them at the start.

The stewards outdid themselves to be pleasant, performing all sorts of little thoughtfulnesses which was taken much for granted. . . .

I think Mr. Caldwell's warm heart and sympathies ran away with him. Aren't we all rather forgetting that the typical and usual German is a sentimental cheery good soul? Let's judge a little more by the ones we know and meet and less by the ones we only read about in the papers.

RUTH JANE WILLIAMS

New York City

NEGLECTED BECAUSE OF THEIR COLOR

LINCOLN, Neb., July 20—An aid to overcoming some of the less flattered stereotypes about the race would be the inclusion of the fine work of some Negro writers in college textbooks on American literature, according to Bertram A. Lewis, professor of English at Wiley College.

Prof. Lewis has an article, "The Envied Ones," featured in the current issue of the Prairie Schooner a leading mid-western magazine published at the University of Nebraska. In it he says that a number of poets whose verses far excel the productions of dozens of white writers included in anthologies, are neglected in a field whose professors should be among the broadest on college faculties.

"College youths are left to the tender mercies of Octavus Roy Cohen and the enterprises of Hollywood for their understanding of a racial minority . . that has given to the world almost all the distinctively American contributions to its culture," he writes. He continues to say that it is time a movement be started to remedy this neglect.

Catholic Press Praised For Helping To Lift Color Bars At Universities

Father La Farge Cites Six Catholic Colleges Which Have Agreed to Admit Catholic Negro Students Within Past Two Months.

NEW YORK, July 6.—(ANP)—Representatives of the Catholic press were praised at the 29th annual convention of the Catholic Press Association here for their influence in opening the doors of Catholic colleges and universities to Negro students.

The work which the Catholic press had done in the above respect was described in a letter written to the association by Father John LaFarge, S.J., and read at the convention by the president, Charles B. Ridder.

Father LaFarge stated that within the last two months, six more Catholic colleges have stated their willingness to admit Catholic Negro students and that the number of such colleges is increasing every day.

(Editor's Note.—There seems to be no unanimity in Catholic colleges so far as discrimination based on race is concerned. Notre Dame, one of the most widely known Catholic schools, bars Negroes, as well as Georgetown university. But Fordham university in New York does not, although a Negro student at Fordham was recently advised by the 'higher ups" not to attend one of the school's dances.)

Murphy Calls For Defense of Civil Liberties in U. S.

Washington, D. C. (CNA)—Failure to enforce civil liberties ordinances is a blow at democracy, eighty-five United States attorneys, gathered here this week for the first time in a group, were told by Attorney General Murphy.

The New Dealer asked the government lawyers to take an active part in the protection of civil liberties, calling attention to the recent establishment of a Civil Liberties Unit in the Department of Justice.

JUSTICE FOR ALL IS CATHOLIC CREDO, SAYS ITS MAGAZINE

NEW YORK (C)—"America", the national Catholic weekly magazine, in a two page editorial entitled "Our Editorial Credo" in its April 15th issue lists points 6 and 7 under "Human Rights" as follows:

"Full and unlimited justice is owing to the Negro, the foreigner, the Jew, the Protestant, the Catholic, the non-believer. The fact that the sacred cause of human rights is misused by discontented or interested elements for the sake of anti-religious agitation does not alter the rights in the case.

James Crow

Jim Crowism is one of the worst insults practiced by human beings along the lines of human relationships. The American Negro is subjected to this practice in all parts of the United States. In some states there are Jim Crow laws stating specifically the Negro's place as set apart by the white man. In other states, Jim Crowism moves around in the form of sentiment, public opinion and feelings that a line of demarkation must be drawn. Jim Crowism is in our midst. It has become a part of the habits and customs of the people to segregate and separate human beings because of color.

Civil rights laws play well their part in demanding that the rights of American citizens be respected, regardless of race, color or creed. But there is a better way to fight Jim Crowism, and only the Negro can play that role. In a large number of cases, we are sure that it is safe to say that the Negro is responsible for jim crowism and segregation. In many cases, our people spend their CASH money to help spread "James Crow's wings. Of course, in states where they have laws upholding the practice, nothing can be done to any degree. If you are traveling in the South, there is only one thing to do—ride in the Jim Crow car. In Kansas there are no Jim Crow laws, but Jim Crow stalks around just as in Mississippi or Missouri. And the heart breaking thing about it is, we help Jim Crow to spread his wings. Jim Crowism will remain in Kansas, because we are afraid to fight. We are afraid some of our friends will lose a political job. We are afraid some of our relatives will be kicked out of the school system. We are afraid that once the fight is started, our friends will forsake us, and leave us holding the bag.

The Negro race must face the issues of the day. The world may owe you a living, but there is one thing certain—you have got to make that living. You can stand around and wind away your time and Father Time will call you some day; you will leave this world and nobody will ever know that you lived. We are too contented with a few favorable surroundings. We must arise and think of our children and work that they can enjoy life better.

Economic security means much to a race of people. We spend large sums of money yearly with firms and companies that help Jim Crow spread his wings. Profit making is a big item to the man who has money invested—and profit losing is a more serious item. Even a Georgia merchant might violate the state law and run Jim Crow out for a hot minute when profit losing is involved. We must get more serious on this spending business. Do not spend your money with the companies that segregate you. Put the theory into practice for two weeks, and you will find that a few stockholders will be calling a meeting of the board of directors. We must learn to use the dollar to a greater advantage in establishing our race as desirable human beings in any community. The American white man loves money. He is forever devising shrewd schemes to make the public buy what he has to sell. He does not like to lose and he is not going to lose if it is humanly possible to make the public buy what he has to sell. When commodities fail to move, he seeks to find the reason for a standstill. Now let us use a little "horse sense", as Ex-Governor Landon would call it—If there is a place of business in your city spreading the wings of Jim Crowism, why trade there? Does it not look reasonable that if our race leaders and members of the race would have a sit down strike on such places, that the manager would want to know why the colored people did not come in. If that manager values your trade, he is going to devise some means to get you to come into his store. What would be the solution?—CLIP JIM CROW'S wings. It is all very simple. The only hard thing about it is to get our people to act in accord.

HIGH CATHOLIC DIGNITARIES CONDEMN RACIAL BIGOTRY

WASHINGTON, D. C., May 4—(ANP)—In a remarkable statement, issued on last Thursday by the bishops composing the administrative board of the National Catholic Welfare Conference, meeting here in semi-annual session, all forms of racial bigotry and intolerance were condemned. The Board's statement said, in part:

"We wish to call attention to the laudable education movement sponsored and directed by the Catholic University of America for a better understanding of loyalties and civic virtues in a Christian democracy. We regret and deplore the widespread propaganda in the interests of systems and theories antagonistic to the principals of democracy and the teach-

"A Christian people will oppose these dangerous aberations with all the might of Christian charity. For that very reason our people will be on their guard against all forms of racial bigotry, of which Pope Pius XI, speaking of a pertinent instance said: "It is not possible for Christians to take part in anti-Semitism."

Macon, Ga., Telegraph
June 9, 1939

RACE PREJUDICES SEEN IN SCHOOLS

Attitudes Toward Economic and Racial Differences Are Danger to Democracy

(This article is supplied by Teachers College, Columbia University, New York City, as a contribution to public information on education.)

Many nations throughout history—and today Nazi Germany in particular—have held that racial purity is essential to development and progress. Is this a fact? Is one race superior to another? Can you improve a race by forbidding intermarriages? Is one race more honest or ambitious than another?

Today this question of prejudices against races and classes has penetrated the province of the classroom. Educators realize that the need for tolerance is great. Even in America, prejudice takes curious forms—not only in superior attitudes towards Negroes, Jews, Latins, Indians, but also towards classes of lower economic or social level.

It is obvious, educators believe, that in such attitudes of economic and racial superiority lies one of the greatest dangers to democracy. There remains today, they point out, far too much suffering because of existing antagonisms. Most of them are based upon falsely conceived but widely accepted notions about heredity. The new education rightly considers it its duty to correct not only these ideas but many other popular misconceptions.

The Bureau of Educational Research in Science under the direction of Professor S. Ralph Powers of Teachers College, Columbia University, has accepted this challenge and attempted to provide a new approach to teaching science in the schools. With particular emphasis on the social implications involved and their application to modern living, the bureau has suggested new materials and methods for teaching genetics in the schools today. It has sought assistance from competent authorities in this branch of science in its efforts to present this subject in a manner that is consistent with the best that is known. The bureau's most recent report, based on the best scholarship available, points out that there is no evidence forthcoming from the studies of human heredity which would justify the view that any one race is superior to any other in the much flaunted socially significant traits such as honesty, ambition and intelligence.

This was forcibly illustrated in a teaching experiment conducted recently. The class was given a three-weeks' course in genetics taught according to methods outlined by Teachers' College. As the beginning of the class, students were tested as to their attitudes concerning races. This is the sort of statement that was given — students were to indicate whether or not they believed it: "High-grade Japanese are more desirable as immigrants than low-grade British." Almost without fail, the average American class said "No!" At the end of the course, however, in which they discovered that individual qualities were more important than racial ones, they took the test again. There was a decided change in their attitude. This time they recognized the intrinsic worth of superior Orientals as compared with inferior or low-grade Englishmen, Scandinavians, or Frenchmen, for example. Other changed attitudes noted as a result of the new teaching approach to this subject, had to do with statements like this: "Dark-skinned people may be as clean as light-skinned" or "A Jew is apt to be as reliable as a Nordic." There was evidence of changes in attitudes as students became familiar with authoritative material bearing on genetic differences between people and races.

Anticipating Prejudice

THE alibi established for making no provisions for the training of Negro personnel in the U. S. Air Corps—now being expanded by a huge Congressional grant—is the fear of officials that "a white mechanic would not willingly fly with a Negro pilot," and that white and Negro officers "would not get along together."

No line of reasoning in our democracy throws greater light on one of its fundamental social weaknesses than this one of anticipating prejudice. America's Tenth Man is barred from hotels, restaurants, music halls, hospitals, colleges and universities, ocean liners, airplanes, and legislative halls, on the assumption that white patrons would resent the intrusion.

We in America have been praised abroad for our courage in social explorations, but as yet we lack the courage and fortitude to let down the bars separating the two races and leave the rest to God. If people are let alone to evaluate the character and personality of each other without the tutelage of propagandists, brotherhood in human relations would soon be a reality rather than a beautiful dream.

This is best dramatized in child life where children of Jewish and Gentile parentage, and of the white and Negro races form companionships and share the joys and sorrows common to their juvenile world. The question of race or class never projects itself into the minds of children until forced upon them by parents and teachers, and in later years by politicians and self-styled patriots.

The color question has no place in personnel selection for national defense. The practice of anticipating prejudice between the races in our democracy is inimical to national unity. It is a mockery of justice and impairs faith in the social order.

TENANTS UNITE!

White Help Colored!

New York.— (CNA) —New York's tenant organizations this week were celebrating a partial victory against landlord discriminaion following a court decision granting a Negro family the maximum six month's stay of eviction.

The landlord, the state of Max Eisman, 271 Madison Ave., sought to evict the Rev. Alger L. Adams and his wife, Jesse Wells, a social worker, from 71 Lexington Ave., because of their race.

In a ruling following a legal battle royal, Municipal Court Justice Charles J. Garrison granted the couple the maximum time extension allowed in dispossess proceedings to find another apartment.

The Adamses moved two years ago into the building at 71 Lexington Ave., which is also occupied by nine other families, all white. The new tenants got along nicely with the white tenants. However, the landlords, in May, 1938, suddenly sought to evict the couple, without warning or explanation. The white tenants rallied to protest the discriminatory act and signed a petition of protest, causing the landlords to withdraw the disposess.

Sees Education As End To Race Prejudice

PHILADELPHIA, July 27—(ANP)—Racial and religious prejudice originates in ignorance, said Dr. John P. Turner, a member of the board of education Monday as he voiced his distaste for intolerance through the American Friend's Service committee.

"You and I are born," he said, "under environmental conditions that instill into us beliefs, notions and convictions. Because my mother and father were protestants, I grew up a protestant.

"Yours may have been Catholic or Jew. We may be reared to feel we are superior to our next-door neighbor, or that the race to which we belong is better than another race. In that way the young mind starts on its warped journey of the superiority complex."

But, he pointed out, this need not be the case.

Educate Youth

"That the man of tomorrow may be as free as possible from prejudice," he stated, "the boys and girls of today should be reared in an atmosphere of fine human interests."

"In such an atmosphere," he said, "Jew and Gentile, Negro and Caucasian will know each other's joys and sorrows, each other's triumphs and defeats.

"The American ideal of fair play and justice for all will be greatly aided by beginning to help children know each other.

"All of this may be summed up in one word—education."

He concluded with a statement that it must be insisted that children learn the rights of others.

AMENDMENT TO SENATE BILL WOULD HELP NEGRO LAWYERS

Amendment Offered By Senator Minton

WASHINGTON, —(ANP)— Sen. Sherman Minton, of Indiana, announced that Senate bill 1610, which passed, contained an amendment offered by him which would forbid discrimination to Negroes and other racial and religious groups in filling positions in the federal government service requiring legal training or legal experience. The bill as originally introduced prohibited discrimination against graduates of non-accredited law schools.

The Indiana senator's interest in the matter was aroused early in May by a detailed memorandum which Prof. U. Robert Ming, Jr., of the Howard university school of law, submitted to the legislator on behalf of his fellow faculty members. The memorandum pointed out that although there were more than 4,500 positions in the governmental service which required legal training or legal experience, only eight of such jobs were filled by Negro lawyers. In addition, although 1,300 of these were civil positions, only one Negro lawyer occupies a civil service position in the governmental service. The memorandum stated that it was the opinion of the members of the faculty of the country's only Negro law school that "discrimination against Negro lawyers is now regularly practiced in most of the governmental departments and bureaus."

RARE INSTANCES

The law teachers furtner stated that "it has been the experience of our alumni, and many other Negro lawyers, that except in rare instances the barrier of race is an obstacle to federal legal positions that is surmountable only when the applicant is able to secure the exercise of strong political pressure in his behalf." The memorandum further stated that the experience of Negro lawyers in state and federal government positions belied the time-worn excuse given by governmental officials that the appointment of Negro lawyers was impossible because personnel difficulties would be created inasmuch as Negro lawyers would have authority over clerks, stenographers and messengers.

Charging that such discriminatory practices not only handicap Negro lawyers but that their exclusion from federal bureaus and administrative agencies which so vitally affect the lives and activities of all the people in the country frequently prevented such departments from realizing the effect of many of their actions on Negro citizens generally, the faculty requested Senator Minton to offer an amendment to the bill which would forbid such discrimination.

HEARINGS ON BILL

At the hearings on the bill as originally introduced the law school faculty opposed the bill on the ground that it amounted to governmental approval of low standards for legal education, and pointed out that for 40 years the Association of American law schools, of which Howard university school of law is a member, and which is made up of more than 90 of the best law schools in the country, had carried on a vigorous effort to raise the standards of legal education, and that a bill such as the one originally offered would be a severe handicap to such efforts.

Prof. Bernard S. Jefferson, who testified against the bill at the hearings before the committee stated that although he and his colleagues were of the opinion that the bill as introduced originally was bad, in that it gave governmental sanction to low standards of legal education, that the proposed amendment would serve as a strong deterrent to the discrimination which has up to now been practiced in the section of lawyers for governmental service.

BRITON SLURS RACE

DETROIT, Mich., Nov. 30.—Opprobrious epithets applied to the Negro in this country have a nicer meaning all their own in England if the testimony of one Mr. Heaton, an Englishman who spoke on the University of Chicago Radio Roundtable, Sunday, Oct. 29, is to be believed.

This information is contained in a letter of apology and explanation written to Mack E. Grant 3636 Stockton avenue, this city, who had listened to the broadcast of the Roundtable and immediately protested to the National Broadcasting company after he had heard Mr. Heaton insult American Negroes.

Sherman H. Dryer, radio director of the University of Chicago is author of the letter to Mr. Grant. He wrote:

"Dear Mr. Grant:

"The phrase 'n—r in the woodpile' was used on our broadcast of October 29 by Mr. Heaton, an Englishman. As you may know, the phrase has none of the unfortunate implications in England that it has in this country, and in Great Britain is used without intent to offend any group.

"When Mr. Heaton's miscue was mentioned to him after the broadcast, he was most disturbed about his unfortunate incident and asked us to convey his personal apologies to any listeners who might write in about his use in this country of the term which he knew only from its English meaning."

Apparently, according to Mr. Heaton's point of view, Webster's dictionary which defines "n—r" as a derogatory term applied to Negroes, is not English.

This is not the first time the Roundtable has been called to task. Two months ago the Roundtable directors made public apologies to former President Herbert Hoover for alleged untrue statements concerning him made by Drew Pearson of the Washington Merry-Go-Round in the course of a broadcast.

PRESIDENT ROOSEVELT ASKED TO REMOVE JIM CROW FROM ARMY AND NAVY BEFORE U. S. GETS INTO WAR

President Roosevelt, in his capacity as Commander-In-Chief of the United States Army and Navy, has been asked to appoint a mixed commission "to make a thorough investigation of the nature and extent of racial discrimination now existing in the armed forces" of the country.

The request, which came from the National Association for the Advancement of Colored People, was contained in a letter sent to the nation's chief executive, September 15. The letter states unequivocally that, despite the fact that this country faces the possibility of being drawn into a second world war, the barbarism of which already appalls the world, "democracy is still denied to Negro Americans in the armed forces of the U. S." The letter, which is signed by Walter White, executive sec'y of the association, calls upon President Roosevelt to use his powers to remove these racial barriers before this country is drawn into war. The complete text of the letter follows:

"The world stands appalled at the reversion to barbarism in Europe. So-called civilized men are demonstrating that the only difference between them and jungle dwellers is the superiority of the weapons of destruction of their fellowmen which so-called civilized beings have invented.

"There are many here and abroad who fear that our own country may, sooner or later, be drawn into the conflict. May God grant that this be averted.

Scores Race Prejudice

"But we should not close our eyes to the possibility that the United States may be led by events and forces to set forth once again to save the democratic government. If that unhappy time comes there will once again be appeals to Negro Americans to help make the world safe for democracy, even to the extent of laying down their lives. But even in the face of this possibility democracy is still denied to Negro Americans in the armed forces of the United States. Rank race prejudice is rife in every branch of the armed forces of our government—army, navy, aviation, the marine corps, and every other department. Even in the construction of ships for our Merchant Marine, which ships may play a very important part both in our national security and in our economic well-being, there is gross discrimination against qualified Negro workers.

"Repeated pleas to correct these evils have in times of peace been unavailing. But now in a time of national and world crisis the National Association for the Advancement of Colored People, on behalf of twelve millions of Negro Americans and with our young women, our youths World's Baptist Alliace, a world vision is imperative, the status of the convention, the Bible.

Many of the delegates failed to arrive for the Wednesday morning opening due to the washout on the tracks of the Southern Pacific in the Imperial Valley which marooned two sections of the S. P. Train in the flooded area for more than 14 hours. The 1000 delegates aboard were given special attention by the Railroad Company who saw to their every need, according to a story told by Rev. E. L. Harvell, a delegate from Birmingham, Ala., who said for one time, "All of the Baptists found more water than they needed in the swirling flood around the marooned train." The delegation was finally brought to Los Angeles by the buses furnished by the Railroad Company, and they arrived in Los Angeles at a. m. Thursday morning.

Race Prejudice Scientifically Analyzed At World's Fair Exhibi

Age 9-23-39 New York, N.Y.



A special exhibit of books and original charts analyzing the scientific and democratic truths about race and race prejudice was opened in the Hall of Science and Education of the New York World's Fair Monday by Dr. Gerald Wendt, the Fair's director of science and education, (shown above) and Prof. Franz Boas, world renowned expert on racial questions.

The exhibit was prepared by the American Committee for Democracy and Intellectual Freedom as a feature of its American Re-discovery Week program. The committee announced that similar exhibits will be set up in hundreds of college and general book stores, libraries and class rooms throughout the country, as part of its campaign "to lay bare the sources of prejudice" which threaten American institutions.

Text of Statement: 'In Defense of Civil Rights'

The complete text of the document, "In Defense of the Bill of Rights," reads as follows:

WE, the undersigned, believe that civil liberties are the distinguishing mark of American democracy. We believe, furthermore, that the Bill of Rights must apply to the rights of all Americans—or that it will prove a cheat for all. We do not accept the dangerous proposition, now being broadcast from certain quarters, that civil rights can be withheld from this dissident minority or that, at the pleasure of those who may have the power to do so.

Therefore, we feel compelled to speak out sharply and boldly at this moment. When forces exist, as we believe they do now exist, whose objective effect—if not their secret purpose—is the destruction of civil liberties, blindness to facts becomes dangerous, pious protestations of liberalism become mockery, and failure to speak out courageously becomes criminal. The objective effect, furthermore, is to create war hysteria and to incite witch-hunts at a time when unity for peace in the face of international events is a condition for our further progress as a nation of free men.

We recognize the following blunt facts: 1. That the Dies Committee is talking openly of the suppression of dissident groups, and that in this it has secured the support of influential newspapers throughout the country: 2. That open incitement to vigilante activity against labor, against minority radical groups, against national and religious groups is increasing in this country; 3. That various discriminatory and repressive measures against the foreign-born have been passed by the House of Representatives and have become law in many states.

WE recognize particularly that serious efforts are being made to silence and suppress the Communist Party. We regard as significant the fact that precisely now Earl Browder, its General Secretary, has been indicted on data which the government has evidently had for years. We observe that a charge four years years old has just now been revived against another official of the Communist Party, Sam Adams Darcy. Similarly, a minor technicality was invoked in order to rule all Communist candidates off the New York City ballot. Without legal right, Representative Dies and his aides have conducted raids on Communist Party headquarters in several cities. Detroit police failed to give adequate protection to a legally held meeting addressed by William Z. Foster, National Chairman of the Communist Party, and an organized gang was allowed to assault people as they left the hall. Harvard University cancelled a speaking engagement previously arranged for Mr. Browder.

We record as well that a speech which Mr. Browder recently delivered in Boston was inaccurately reported in many newspapers throughout the country and the false impression was thereby created that he had in effect called for armed insurrection against the government of the United States.

WE point out sharply that this concerted campaign to lay the basis for outright suppression of the Communist Party is reminiscent of the post-war hysteria which culminated in the now universally condemned Palmer raids. We are not Communists, and we are not concerned at this moment with the merits or demerits of the doctrines advocated by the Communists. We are interested only in the indisputable merits of our American tradition of free speech and in the consequences to the non-Communist majority of the suppression of the Communist minority. We have before us the example of many European countries where suppression of the Communist Party was but a beginning, followed by a campaign against trade unions, cultural groups, Jews, Catholics, Masons, and ending with the destruction of all freedom. It is in our own interest therefore, and in the interest of those rights for which America has struggled these many years that we raise our voices in solemn warning against denying to the Communists, or to any other minority group, the full freedom guaranteed by the Bill of Rights.

Today And Tomorrow

BY WALTER LIPPMANN
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The Bill Of Rights

Today is the anniversary of the ratification of the first 10 amendments to the constitution. They are known as the Bill of Rights. Though in form these amendments are a part of the constitution, and therefore in theory subject to repeal or amendment by the ordinary procedure, in fact the American tradition holds that the Bill of Rights rests upon self-evident, inalienable, eternal and universal principles which no government and no majority of people, may violate.

The rest of the constitution is a framework of government designed to establish a federal union operated by representative democracy; it is also the outline of a policy for the ordering of affairs. This constitutional system comes from the people, that is to say from majorities among the people, and in the course of history is subject to change by other majorities. But the Bill of Rights does not come from the people and is not subject to change by majorities. It comes from the nature of things. It declares the inalienable rights of man not only against all government but also against the people collectively.

It establishes rights which no majority may abrogate, and as Jefferson put it in his first inaugural, "to violate would be oppression." Those words are pregnant, for in the philosophy of the American founders oppression was illegal even if it was done under the forms of law, and such men as Jefferson and Franklin were fond of saying that "rebellion to tyrants is obedience to God."

That was not a rhetorical phrase. They really believed that the rights of man came from his Creator and that they are derived from the laws of the universe itself. In defending these rights against all earthly powers, against kings or tyrants or popular majorities, they held that they were practicing obedience to God. In their view the framework of government and the form of the social order were the things of Caesar; but the rights of man were not Caesar's but the things of God.

This belief is outlawed in the lands where liberty has been crushed and the ideas themselves are scornfully rejected as vapors from a dying social order. But even here, where the usages of freedom still persist, the multitude of men is no longer very sure why they believe in freedom. In the course of the nineteenth century it ceased to be intellectually respectable to affirm that any principle is self-evident, inalienable, eternal and universal. And thus there was cut away the ultimate ground on which liberty can alone be defended as against the argument from expediency and the prestige of power and success.

So on this anniversary it is useful to remember where our liberties originate, from what source come their irrepressible and enduring energies. For we shall need to rediscover what we had become too sophisticated to believe.

* * *

The sophists among modern historians like to tell us that our liberties come from the self-serving action of the barons who extracted Magna Carta from King John, and from successive classes of landowners, merchants, and working men. The explanation is inadequate. If the struggle for liberty is no more than the struggle of a special class at a special moment, then how does one explain the fact that millions have enlisted who had no special interest, or, if they had, were destined to die before they could enjoy it?

These struggles are at once too general and too passionate to be explained on the ground of calculated self-interest. Men respond to the cause of liberty who can never hope to enjoy its fruits. So it must be that the tree of liberty has its root in some deep and abiding need of man. The founders of our liberties knew this. They knew that the need to be free, once awakened in man, is as imperative a passion, and almost as universal a passion, as hunger and love.

* * *

In safety and comfort men who enjoy liberty may forget this. They may think that the language of liberty is rhetorical. In the security of their own liberties they will often be unable to comprehend how ordinary men like themselves can be so impractical as to leave their homes, their families, their careers, to go out to dwell in mud and dark-

ness, and to be cold and bored and dirty, and to be exposed to death and mutilation, rather than live without the conviction that they are free.

It seems so silly, so incomprehensible, to comfortable, sensible people. It is often equally difficult for those who are well fed, never having missed their regular meals, to comprehend how they themselves would feel and behave if they were starving. They find it hard to imagine how men feel when they are starved for liberty.

* * *

What then is this passion, apparently so abstract that many today think it is an invention of the propagandists, this passion which has moved ordinary selfish, sensual men like ourselves, the Greeks who stood at Thermopylae and the Frenchmen who stand on the Maginot Line, the British who guard the infested seas, and the Finns who stand in the Karelian Isthmus—has moved them to such deeds of bravery and self-sacrifice?

That is what needs to be explained when we read our own Bill of Rights, and marvel at the succession of brave men who paid with their blood for those rights, when we wonder if we, who are their heirs, are made of the same stuff.

* * *

The root of the passion which has moved such men is in some measure present in all men; it is the will to live, not as a thing and not as an animal, but as an inviolable, self-respecting and respected, human person. This is the indestructible cause of man's desire to be free. Man is so constituted that he has this passion. Because he is endowed with the faculty of reason, he is suffocated and strangled and literally done to death if he is compelled for too long and too completely to submit to unreason, and irrational arbitrariness, and sheer brute circumstance. So far as we know, man alone is this kind of being. This is how his nature differs radically from that of other animals, even from the ants and the bees who also live in highly organized communities. For they do their collective and servile labors without having to be coerced by an OGPU or a Gestapo. But man has to be coerced. Man has to be oppressed. Why? Because his passion to live as a human person is so indestructible that his oppressors can never for a moment relax their vigilance.

* * *

This energy of the soul has been awakened—and awakened has become insistent, and insistent it is irresistible—by means of a progressive revelation which began in the Mediterranean world. On this revelation of man our civilization is founded. This revelation is the central belief of the enduring religion; it is the argument of the perennial philosophy; it is the beginning and the end of the developing science; it is the subject matter of the expressive arts, and it is the major premise of the laws and institutions of the civilized world.

Without a comprehension of this truth about the nature of man, nothing that we value is comprehensible.

* * *

Thus no one can explain the Bill of Rights to someone who does not believe that the soul is rational and that, therefore, the human person is inviolable. If he has not grasped this truth, if he has not had this revelation, if he does not know the idea which these words express, how will you convince him that his religion shall not be prescribed by public officials, or that he has the right to speak and to listen, or that the powers not delegated to the government are reserved to the people?

How will you affirm that freedom is better than tyranny if you are not able to affirm that it is the destiny of man's nature that he should be free? No one can prove the value of liberty by drawing up a balance sheet of profits and losses. If men do not understand that the origin of their liberties is in the nature of man, they will not really understand their liberties, nor learn to value their liberties until they have let them be destroyed. And so, though they live in freedom, they will squander their inheritance having forgotten how it was earned and accumulated.

New York Hotel, refused ser vice, because of his race, to Dr Carver, one of the world's great est scientists!

San Francisco Hotel "turns down," because of his race, Ford, twice Candidate for U. S. Vice Presidency.

Cincinnati Theatre would not sell a ticket, because of his race, to an ex-student of the University of Cincinnati.

ABOUT THE LATTER CASE A LAWYER, SAID TO A PROMINENT COLORED CITIZEN, "I AM INTERESTED IN YOUR PEOPLE. WHAT DO YOU THINK WILL BE THE BEST WAY TO KEEP THEM FROM HAVING THEIR FEELINGS HURT, BY GOING WHERE THEY ARE NOT WANTED."? THE COLORED CITIZEN QUICKLY REPLIED, "I'D SUGGEST YOU SEE HITLER, HE SEEMS TO BE HANDLING SUCH PROBLEMS VERY SUCCESSFULLY WITH YOUR PEOPLE OVER THERE."

Racial Distinction

The senior and young people's departments of St. Mark Methodist church, in the report on Youth Crusade Week, placed their finger upon the most perplexing economic problem in the south of today when they said the negro suffers because of racial discrimination.

In considering this report, however, there is one vital fact which should always be kept in mind. The Youth Crusade report is dealing with racial discrimination, not racial distinction; they are two totally separate things.

Racial distinction is proper, desirable and recognized both in federal and states' laws. It provides for that demarcation between the races which must exist if the two are to live amicably in the same communities. Racial distinction provides there shall be no intermingling of the blood of the two races and recognizes the propriety of social separateness, such as separate schools and separate railroad coaches.

The late President Harding expressed the ideal of racial distinction when he said "the two races should have the same rights, but need not enjoy them in each other's company."

Present day practical considerations render that ideal, however, merely something to be hoped for, some day.

The conditions against which the Youth Crusade protests, however, come under the heading of racial discrimination, which is altogether a different thing. The injustice of racial discrimination rebounds against the white citizens just as seriously, if not more so, than against the negroes themselves.

It is racial discrimination which results in wretched and insanitary housing conditions for so many negroes. It is racial discrimination which denies the negro child educational opportunity even approximating that of the white child. It is racial discrimination which, in too many instances, results in the negro defendant, in court, being considered guilty until he proves his innocence, whereas the white defendant is considered innocent until proven guilty. It is racial discrimination that brings the negro, guilty of misdemeanor, six months on the chaingang, whereas, the white man equally guilty, receives a nominal fine and a judicial reprimand.

It is these, and other conditions of similar stripe, that bring to the doors of the white south such undesirable offspring as disease, widespread crime and the worst homicide record of the civilized world. It is such conditions that keep the negro, in large degree, a heavy social and economic burden upon the shoulders of the south. It is for such conditions that the Youth Crusade report of St. Mark church asks and seeks a remedy.

The true south will, rightfully, always insists upon proper and adequate racial distinction, but that same true south, with its inherent understanding of the negro and its proverbial love of fair play and justice, will be the first to seek an end to racial discrimination.

NAACP to Consider Bias in Textbooks

The executive committee of the D. C. branch of the N.A.A.C.P. has under consideration methods of procedure to correct errors of omission regarding Negroes as well as misstatements of fact which appear in school textbooks.

The Education Committee, of which Dr. Sara Brown is chairman, was instructed to study this situation in the books used in the District of Columbia and recommend action to be taken by the branch.

Dr. Sara Brown also reported that the proposal to enlist women volunteers to supervise children visiting toy departments during the holidays was meeting with popular approval.

George Brice stated that plans for the NAACP revue and dance on Friday, December 15, are proceeding rapidly, with more than a thousand tickets in circulation in the city, being sold through members and friends of the organization. The Daily News will carry a special listing of business firms cooperating with the NAACP.

Working Permits Issued

U. S. Tate, chairman of the labor committee, reported that following negotiations instituted by the New Negro Alliance, working permits have been issued by the Brewery Workers Union for the employment of Negroes as helpers on the delivery trucks of the Heurich Brewing Company.

He explained that these permits do not make the colored workers members of th union, but constitute a legal device whereby non-union workers are permitted to work with union members, but are denied participation in the benefits of the labor organization.

Gertrude B. Stone, first vice president who presided at the meeting in the absence of Dr. Marshall, called to the attention of the executive committee the ruling of some months ago to the effect that single members of committees are not to engage in policy-determining conferences with other organizations, agencies or business institutions.

Such matters must be handled by a delegation of two or more members of a committee.

John J. Lovell, secretary, announced the next membership meeting on Tuesday, December 12, at the Twelfth Street YMCA, at 8:30 p.m.

Frick Gets Fans' Petitions To End Jim Crow; Landis K.O.'s 'Chain Store' Set Up

Daily Worker
N.Y. City

Attempt to Give Farms Free Hand Turned Down

12-9-39

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Commissioner Landis by his action indicated he will carry on his campaign against chain store baseball as vigorously as he has in the past.

All amendments which would have made it easier to operate farm clubs were voted down at the meeting at which Landis presided. The National League voted "yes" on five amendments, and the American League "no" thus creating a deadlock which Landis broke by casting his vote with the American Leaguers.

On two other questions the National League voted "no" and the American League had the commissioner strung along together by voting "yes."

Asked why he voted against legislation which the minors passed by a vote of 41-0, Landis said:

"That legislation didn't originate in the minors. It originated in the majors. The minors are just the pawns of the majors. There is no no use to talk about the minors enjoying anything."

"BUSINESS MAN"



FORD FRICK

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Frick claimed discrimination in hotels and the training season in the South as obstacles to employment of Negro players, and declared that at the most there were only six to eight Negro players of major league calibre.

A statement was also made by Gunkel placing the issue before Landis when he returns here tomorrow.

N.L. Head Calls It 'Social Problem' That 'Can't Be Solved'

(Special to the Daily Worker)

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(See Lester Rodney's column on the baseball meeting and the Jim Crow ban.)

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These Are 62 Prominent Americans Who Signed the 'Bill of Rights' Statement

The following sixty-two prominent Americans endorsed the statement:

EDUCATORS AND SCIENTISTS

Professor Thomas Addis of Stamford University;
Professor Gordon W. Allport of Harvard University;
Professor Joseph Warren Beach of the University of Minnesota;
Professor Franz Boas of Columbia University;
Professor Hadley Cantril of Princeton University;
Dr. J. McKeen Cattell of the American Association for the Advancement of Science;
Dr. Bella Visano Dodd, teacher and leading trade unionist;
Professor Irving Fisher of Yale University;
Professor Richard Foster Flint of Yale University;
Professor Frank H. Hankins of Smith College;
Professor Benjamin Harrow of the College of the City of New York;
Professor Melville J. Herskowits of Northwestern University;
Professor Ellsworth Huntington of Yale University;
Professor Robert S. Lynd of Columbia University;
Professor Kirtly F. Mather of Harvard University;
Dr. Karl Menninger, Director of the Psychology Clinic of Topeka, Kansas;
Professor Clyde R. Miller of Columbia University;
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Malcolm Cowley, Editor of The New Republic;
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Sara Bard Field, poet;
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Lillian Hellman, playwright;
Matthew Josephson, author and critic;
Arthur Kober, author;
Oliver LaFarge, author;
John Murray, playwright;
Clifford Odets, playwright;
Mr. and Mrs. Ralph Roeder, authors;
George Seldes, journalist;
George Scule, editor of The New Republic;
Irving Stone, biographer;
Charles Erskine Scott Wood, author and poet.

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Charles Belous, lawyer and former member of the New York City Council;
Aaron Copland, composer;
William E. Dodd, former Ambassador to Germany;
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Rockwell Kent, painter;
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EDWIN C. HILL'S APOLOGY

When Mr. Edwin C. Hill, nationally known commentator, used the word "darky" in describing members of the Race who were attending the Pimlico Preakness last Saturday, he was laboring under the impression that such a word does not carry derogatory implication.

Says Mr. Hill in his letter of apology to the N. A. A. C. P., "I have never in my life used the word 'coon' or 'nigger.' My use of the word 'darkies' was due solely to a lifelong belief that it was an acceptable term implying a certain amount of affection and intimacy.

"That view is supported certainly to a considerable extent by the fact that a great artist of your race, Paul Robeson, often sings 'That's Why Darkies Are Born.'

Though it is difficult for us to believe that a man of Mr. Hill's intelligence and contact would be unaware of the resentment that such a word arouses among our people, it would appear, however, our own use of the term, as he points out in his letter of apology, has given ground for interpreting it as inoffensive. It would seem, therefore that out of racial pride we should not find it difficult to resist the temptation of singing songs in which the word "darky" appears. However may be the beauty of the melody, and however may be the extent of its popularity, we should not attempt to perpetuate any sentiment that tends either by inference or direction, to depreciate our race. Though we may question Mr. Hill's motive, we can hardly challenge the logic of his position. If we use the word ourselves, we should not become vexed when others use it. Let us set the example.

Poll Shows Whites For Admission

Atlanta World
Atlanta, Ga.
1-19-39

Dr. Shepard For Separate System Of Universities

CHAPEL HILL, N. C.—(ANP)—In a copyrighted story carried last week by the Daily Tar Heel, student newspaper of the University of North Carolina, it was reported that eight North Carolina Negro students have applied for admission to the university. When university officials were questioned about it, however, they denied any knowledge of the situation.

An unofficial questioning of the law school showed that a majority of the students were in favor of the admission of Negroes, but in a statement to the Daily Tar Heel, Dr. J. C. Shephard, president of the North Carolina College for Negroes at Durham, said that he felt that "Negroes could do their best work only in their own schools," and that enlargement of existing facilities would give increased opportunities to competent Southern Negro educators.

NO EQUAL SYSTEM

In direct contrast to this statement, Roy Wilkins, editor of "The Crisis," responded to a telegram sent by the Daily Tar Heel by saying "We have opposed separate schools for the races since the beginning of the NAACP 30 years ago because all surveys and statistics show conclusively that there does not exist in America a so-called equal school system."

Walter F. White, executive secretary for the NAACP, further stated that "These conditions force us to the inevitable conclusion that the only method of securing equal opportunity in public education is for the Negro to hold as an ideal the attendance at the same institutions with the whites."

ST. LOUIS NAACP PLEDGES AID TO MISSOURI STUDENT

ST. LOUIS — (ANP) — In a meeting held last week by the St. Louis NAACP branch, the local organization voted to help defray the expenses of Lloyd L. Gaines when he enters the state-supported law school in Missouri next fall.

OKLAHOMA MAKES GESTURE TOWARD BETTER COLLEGE

OKLAHOMA CITY, Okla. — (SNS)—In a move that is regarded as a weak gesture that will not stand up in view of the clear-cut language of the recent supreme court opening up the law school of the University of Missouri to Negro citizens, the State of Oklahoma put into its legislative hopper a bill designed to equalize graduate training opportunity for colored citizens with those of whites.

THE LAUGH COMES HOME

Journal
1-14-39

Negroes are jumping on the Metropolitan Life Insurance Company because it refuses to employ them, or, in some states, issue policies on the field to them. They are just seeing what has been true for years. How long it takes some of us to learn things!

It is a common thing to hear of Negroes who look to the Metropolitan as a God created company. They pass up their own encerns and plead on bended knees to be allowed into somtthing that has as obviously as possible hung out the "Not Wanted" sign. They have done so for years. Now they are crying "thief."

It is not our purpose to speak ill against any concern, buc right here in our midst is a score or more of colored insurance agents who beat the streets day in and day out, and to whom we give a "I don't want that colored thnig." They smile and drop in again. Right behind them a man of a another color, with a two for five plan, walks in with hat on his head and says "auntie," and we fall down and praise Allah. Several of them in the past few years have been gradually, (in some cases completely) throwing out Negro business. They should make plain what is to follow. But we are people who must see things first. We lack vision.

Yes, the Metropolitan is guilty. But so are all other white operated companies we know of. What is said of one should be said of others. They won't hire us; and we wouldn't hire them. That's a foregone conclusion. But we can better ourselves by simply stop believing anything white is better than everything colored. Had we insured in our own companies instead of the Metropolitan, we would have had more ad larger companies of uor own; more of boys and girls at work.

Anyway, it does seem that we are waking up.

AMERICAN MEDICAL ASSOCIATIONS BANS COLORED PHYSICIANS

House of Delegates Also Excludes Women from Membership

ST. LOUIS, May 25—(ANP)—At last Wednesday's meeting at Hotel Statler of the house of delegates, legislative and policy-making body of the National Medical Association, that august body had before it a resolution by the New York delegation providing for admission of Negroes to membership in the association.

Journal
6-2-39

The New York resolution—and another providing for representation in house of delegates for the 8,000 women physicians of America—had been referred to the committee on legislation and public relations, potent group chairmanned by Fort Worth's Dr. Holman Taylor and charged with the responsibility of making recommendations to the 174 members of the house.

Dr. Taylor's committee reported that it had given the resolution on Negro physicians "careful and sympathetic consideration," but disapproved its adoption because "it implied that the county medical societies should not in effect have the right of selection of their own members, a fundamental principle of our organization.

The committee's recommendation was adopted in an open meeting of the house of delegates, the move being led by Dr. William R. Brokosher, Ft. Smith, Ark. Thus, the house "passed the buck" right back into the laps of county medical societies, whose members South of the Mason-Dixon line may maintain the zan against Negro medics joining the AMA.

Although house of delegtes turned thumbs down on Negro membership, officials pointed out atterward that this did not refert to county societies of the A. M. A. which have the right to determine qualifications of their own members. Currently many Negro doctors hold A. M. A. memberships in the more liberal sections of the nation.

The committee disposed of the plea for women representation direct in the house of delegates on the ground that women medics have a voice in selection of representatives, may themselves be chosen to the house. With the women, it was simply a matter of procedure, pointing the way to accomplishment of their objective.

The situation is far different with Negro medical fraternity. There are approximately 5,000 Negro doctors in America who care for more than 13,500,000 of the nation's citizens. The New York delegation of physicians declared in presenting the resolution for Negro membership Oin AMA that this was a critical time in the history of American medicine, and that it is important that all physicians unite in safeguarding the interests of the profession.

Colored doctors, said the New Yorkers, have their troubles caring for the millions of Negro Americans "whose collective health problems form one of the most challenging areas in the entire battle line against sickness and disease." The nation's Negro physicians are ably and loyally represented by the National Medical Association, headed by President George W. Bowles, York, Pa.

Also considered was the whole question of socialized medicine, as set forth in the Wagner bill now before the U. S. Senate, and which proposes the expenditure of 100 million dollars the first year for providing needed medical care and hospitalization of the nation's indigent sufferers.

MAKING A LOSING FIGHT

Down in Norfolk, Virginia, one Miss Aline Black, a high school teacher, has been notified of her dismissal as a teacher in the school there because she had the "temerity" to sign her name to a suit to have the salaries of the Negro teachers of that state equalized with that of white teachers in the Old Dominion. As a further expression of the animus and the spite work characterizing the board's action, Miss Black's check, just four dollars and one cent short of her regular June pay, was sent to her with the notation, "for one day's absence attending court on June 1st."

In their effort to wage a determined fight for their constitutional rights in the matter of public service, particularly in the schools, on the part of the colored people, and the resistance that has shown itself in many instances on the part of the school boards to deny these teachers their rights, the parties on one side or the other are making a losing fight.

The colored people have already suffered too long from this gross discrimination. In looking back over the records the amount of money taken from colored teachers by arbitrary school boards throughout the nation is such that should someone attempt to figure out the approximate loss to these teachers through sinister manipulations in some instances and in other cases through bold and arbitrary practices, the figures would be staggering—one would hardly believe his eyes should the amount be exposed, and surely his sense of right and justice would be offended by this discrimination. Yet, since we have been forced to go to the courts we have done so without bitterness, animus or the spirit of revenge. We have based our cases on the Bill of Rights and the Fourteenth amendment to the Federal Constitution. The ultimate triumph on the part of the colored people in these suits is as certain as the Constitution itself. Therefore, the handwriting "on the wall" points to a losing fight on the part of the boards of education.

It will be remembered that this suit by Miss Black is one of the many that have been filed and will be filed in the courts of the land to test the legality of teacher pay discrimination based entirely upon race. Miss Black is just another recruit who has publicly joined in this war against the sinister evil directed against our race. We use the expression "war" because we recognize the fact that to win we must prepare not for a skirmish nor a battle, but for a war. We do not hope to win tomorrow, next week, or next year, but we must resolve in our hearts to win. To be sure it will take time, patience, intelligence and last but not least, money. None of these can be given too generously considering the cause—the best we have is not too great or too much to put into this matter.

The Gaines Case

In many respects the teacher salary fight by Miss Black in Virginia is like the Gaines case in Missouri. It attacks the vicious practice of the systematic cheating of Negroes out of their educational rights, the distinction being that these cases are being fought on different fronts, but both are of equal importance.

Congressman Mitchell's Case

While commenting on our war along the educational front, we are reminded of the vicious jim crow system which is practiced on the railroads against our traveling public, and which in some instances goes to the extent of being truly inhuman treatment. Congressman Arthur W. Mitchell of Illinois has come to the fore with a practical and prima facie case which the nation's highest tribunal has been called upon to settle. As to the outcome we have no misgivings that the plaintiff will ultimately triumph.

An interesting feature of these discriminatory practices is that they have been going on for lo, these many years right before our eyes with our knowledge and consent, but now in this day of new thought in which we are living we have seen the light. We have been shown what is ours, and by the eternal we have resolved to obtain that which justly belongs to us. We are asking no more.

We will not be satisfied with anything less.

Back of this whole movement to awaken the Negro to his constitutional rights is the thought, advice and money of the National Association for the Advancement of Colored People, an organization which merits the support of all thinking and liberal-minded people of the nation, both white and black, for America will never be "great" as long as one-tenth of its population is denied its fundamental rights of citizenship.

Overemphasizing the Dark Side

THE question of racial segregation in religious bodies is so keenly felt by minority races and groups in the United States that there is always a danger of an oversensitiveness, or a hypersensitive reaction to an incident growing out of segregation, no matter what form it takes. We believe that press reports of certain sessions of the World's Baptist Alliance in Atlanta were tinctured by such hyper-sensitiveness.

From all authentic reports reaching us—some from white and colored ministers who attended the great meeting—the gathering of Baptists from all over the world in the Georgia metropolis was characterized by a spirit of Christian brotherhood never before witnessed in an American religious gathering.

Despite the stubborn laws and customs of Georgia, responsible Baptist leaders of both races declare that the seating arrangements at certain sessions for the various national and international groups were not designed with the idea of racial segregation in mind. The promptness with which designation signs were removed when a complaint was registered supports the view that American white Baptist leaders were honestly trying not to offend their colored brethren. The seating arrangements, responsible white leaders contend, were intended to afford easy communication and convenient intra-group professional relations. This appears reasonable in an assembly attended by 50,000 delegates from 60 separate countries.

It was only natural that somebody affected adversely by such an arrangements, or misconstruing the same, would object in a meeting of such great signficance to a strife-torn world. But in view of the generous consideration accorded the American Negro Baptists in the program arrangements, we believe the so-called segregation incident was over-publicized.

It is an affliction of our Negro press, unfortunately, to have to bear the impact of over-emotional news-reporting. It is reflected in the depressing nature of some of the articles carried. The explanation is to be found, often, in the nerve shocked news-gatherer who has covered lynchings, riots, economic pograms and social strafings so long that his imagination goes off hair-trigger fashion when he hears the word "discrimination." The most objective copy-reading and disinterested editing in the newspaper offices fail, at times, to take the over-emphasis out of what comes over the wires or by airmail.

RACE PREJUDICE IS BORN OF IGNORANCE, SAYS NOTED LEADER

Philadelphian Sees Cure In Proper Education of Americans

PHILADELPHIA, July 27 (ANP)—Racial and religious prejudice originates in ignorance, said Dr. John P. Turner, a member of the board of education, Monday as he voiced his distaste for intolerance through the American Friend's Service committee.

"You and I are born," he said, "under environmental conditions that instill into us beliefs, customs and convictions. Because my mother and father were protestants, I grew up a protestant.

"Yours may have been Catholic or Jew We may be reared to feel we are superior to our next door neighbor, or that the race to which we belong is better than another race. In that way, the young mind starts on its wraped journey of the superiority complex."

But, he pointed out, this need not be the case.

"That the man of tomorrow may be as free as possible from prejudices," he stated, "the boys and girls of today should be reared in an atmosphere of fine human interests."

"In such an atmosphere, he said, "Jew and Gentile, Negro and Caucasian will know each other's joys and sorrows, each other's triumphs and defeats.

"The American ideal of fair play and justice for all will be greaty aided by beginning to help children know each other.

"All of this may be summed up in one word—education."

He concuded with a statement that it must be insisted that children learn the rights of others

Richmond, Va., Times-Dispatch
August 2, 1939

Negroes and Segregation

Editor of The Times-Dispatch:

Sir,—Allow me to take issue with some of your views as expressed in an editorial of July 17, 1939, "Far Too Radical For Us," in which you question the correctness of the NAACP's program on education facilities.

Editorially you question whether the United States Supreme Court's decision in the Gaines case will mean, not only admission of Negroes to institutions of higher learning everywhere—but that it might mean that "the South's system of segregated education is to be destroyed from top to bottom."

Your stand for equal pay for Negro and white teachers, for better schools and improvement of general opportunities for the Negro people is worthy of high praise. But is this the time, when national and racial minorities are being persecuted by the Fascists abroad, to begin abrogating and curtailing the rights of 14,000,000 Americans?

You champion the cause of the struggles for rights and liberties of the minority groups who are mercilessly being destroyed by the Fascist ideologies of a "superior" and a "pure" race. But why be so inconsistent? Is this problem of complete equal rights at home too much to accept? Of course it is much simpler to be liberal and speak out against injustices when they are far removed from us—when it is an abstract question!

But is it so difficult to understand that the curtailing of even the most infinitesimal right of any group, is a direct threat to our democracy? There are already too many reactionaries in our own country.

On December 29, 1938, 300 outstanding American anthropologists passed a resolution denouncing racial propaganda. Through the clear eyes of scientific truth these men of science concluded: "Anthropology provides no scientific basis for discrimination against any people on the ground of racial inferiority, religious affiliation, or linguistic heritage."

It sounds humanitarian to say "give the Negro equal education facilities"—but at what cost? In the institutions of higher learning this will be practically impossible—if, actually all necessary equipment for scientific research, laboratories, etc., are to be provided. The Negro people have been promised many things in the past—but it is time to do away with promises and treat the Negro as a self-respecting American, due the same rights as any of us demand. Is there any really good reason why Negroes should not be allowed entrance into schools which are now fully equipped and available? I do not think so, and venture to say that the majority of the people agree with this contention, providing of course, the matter is explained intelligently—not with preconceived theories of "superiority."

Why bankrupt local, State and national government in an attempt to further segregate the races and make our nation a divided one—at a time when unity at home is absolutely imperative? Is it not equivalent to the old proverb: "Cutting off your nose to spite your face?"

(MRS.) ALICE BURKE,
Acting Secretary,
Virginia State Committee Communist Party
Richmond

Zebulon, N. C. Record
August 18, 1939

JUSTIFIED OR VINDICATED?

Sometime ago the D. A. R. denied a prominent colored singer, Marian Anderson, the use of a public building in Washington, over which they exercised authority. A little later she sang to nearly 10,000 listeners at the Lincoln Memorial. She is blessed with a remarkable voice, but she is a Negro! The white people took the matter philosophically and when it was found the criticism and prejudice which might have followed did not, she was called upon to sing before the King and Queen of England at the White House — and they liked it! Talent, goodness, or whatever noble quality of character or conduct in man is not a thing to be circumscribed by race or creed. A Negro is not responsible for the color of his skin. It is what's inside that counts among blacks, whites, reds, or yellows.

EARL HINES' DANCE BOYCOTTED BY FANS

White Promoter Had Refused to Hire Colored Waiters At Jan Graber Dance 13 Days Before

EVANSVILLE, Ind., Sept. 7—In what might be termed the strongest indication of cooperation on the part of colored residents in this city, was displayed here tonight when some eight or nine hundred sepia dance fans failed to purchase tickets to the Earl Hines' dance held in the Coliseum. And as a result of this action only about 18 or 19 couples were present on the dance floor, which is quite unusual for a dance played by the city, favorite, Earl Hines.

The local weekly paper, "The Argus," carried a front page story in the August 24 issue, captioned, "Colored Waiters Excluded From Working At Dance," which elaborated on the injustice done the race when the white promoter refused to hire sepia waiters at the Jan Garber dance that was given at the same place only 13 days before. This same promoter sponsored the Earl Hines' dance, so the article stated. Rumors have it that the boycott may be attributed directly to this article.

On the evening of the Hines dance several carloads of spectators sat out front in their cars and as the few couples (termed as "drawbacks" by the occupants of the cars) passed on their way into the dance they were booed, hissed at and the automobile horns were blown at them.

Young race leaders heralded this action as a moral victory because it indicated that the race here is awakening to the injustices heaped upon them and it gave them renewed strength to push the fight for representation as clerks in the stores located in the black belt known as Lincoln avenue.

Protests of Citizens Result in Removal of "Negro" from School

ALEXANDRIA, Va.—After protests from aroused citizens to the superintendent of schools, T. C. Williams, white, the word "Negro" which was painted on the Parker-Gray School recently was eradicated.

The words "Parker-Gray Negro School" had been painted on the building. When it was noticed by a number of citizens, they telephoned the office of the superintendent to lodge their protests and to inquire why the word "Negro" was painted on the building. This had never been done before in the memory of the citizens.

According to reports of John A. Stanton, Superintendent Williams inferred that he did not know the word had been painted on the school. George Penix, well-known contractor, called the superintendent and told him in strong language that the colored citizen objected to the "obnoxious" use of the word on the building, and demanded that it be removed.

It was later eradicated. It is reported that Williams asked someone later who the man was who used such big words over the telephone.

Litigation Started on 3 Fronts

Lawyers Assigned; Need More Funds For Program

NEW YORK CITY— With eight persons filing application for entrance to graduate schools in three Southern states for the fall term, the National Association for the Advancement of Colored People announced this week that it will push its drive at once to open colleges in southern and border states to Negroes. The drive will concentrate, in the beginning on schools in Missouri, Tennessee and Maryland.

All eight of the persons have sought the aid of the NAACP in pressing their cases.

According to the association, applications are listed in the following categories: law, 3; biology, 1; sociology, 1; education, 1; chemistry, 1; journalism, 1.

The names of the students, and the universities to which they seek admission, follow:

University of Tennessee, Knoxville: P. L. Smith, Joseph Michael, law; Clinton Marsh, sociology; Homer L. Saunders, education: Ezra Totten, chemistry, all resident of Knoxville; and Walter S. E. Hardy, chemistry.

University of Missouri, Columbia: Miss Lucille Bluford, Kansas City, Mo., journalism.

University of Maryland, Baltimore: William Murphy, Baltimore, law

TENNESSEE CASES

L. A. Ransom, professor of law at Howard University and a member of the Association's national legal committee, will handle the University of Tennessee cases. He will be assisted by the law firm of Cowan and Looby, of Nashville. Mr. Ransom is scheduled to go to Nashville September 19 to prepare the ground for court action.

TO REVIVE GAINES CASE

Charles H. Houston, special counsel of the NAACP, will handle the case of Miss Lucille Bluford at the University of Missouri. He is expected to leave shortly for Columbia, Mo.

Mr. Houston also plans to seek further court action in the Lloyd Gaines case. The U. S. Supreme Court handed down a decision December 12, 1938, ordering the University of Missouri to open its law school to Gaines or offer him identical training within the state.

Since that time the Supreme Court of Missouri has reversed its former ruling in line with the high court's decision. The state of Missouri has appropriated some $200,000 in an effort to establish a law school at Lincoln University at Jefferson City for Negro students.

Mr. Houston will seek a hearing in the State Supreme Court in an effort to determine whether the state of Missouri has complied with the high court's decision.

MURRAY PASSES BAR

Thurgood Marshll, special legal counsel for the NAACP will handle the case of William Murphy, involving the University of Maryland. Murphy's case, if he is denied admission, will represent the second time that the Association has gone to court in an effort to force this border state to admit Negroes to its law school.

In 1935 the NAACP won a victory at the hands of the state Supreme Court of Maryland in the Murray case. The court ruled at that time that no adequate training in law was available for Negroes in Maryland comparable to that offered by the state university, and ordered the school to admit Donald Murray.

The University complied and Murray was graduated from the school, June 1938. This week he passed the Maryland State bar.

Arthur B. Spingarn, chairman of the NAACP's national legal committee, in a statement issued here this week, said that William H. Hastie, former federal district judge for the Virgin Islands, now dean of the Howard University law school, and Edward P. Lovett, attorney connected with the United States Housing Administration, would be associated with the organization's defense of these cases. "This is our answer," declared Mr. Spingarn, "to the question as to how we shall follow up the Supreme Court decision in the Lloyd Gaines case."

Urging the public to send funds for carrying forward these and other cases in the association's educational program, Mr. Spingarn added:

"In our fight to correct the evils in our educational system both as they affect the ability of Negro citizens to gain an education and to be paid equally for their services when they become a part of the teaching personnel in the school system, it is necessary to be realistic about the cost of this fight.

"Because we carried the Gaines case to the U. S. Supreme Court at the same time other education cases were being fought, we are now faced with a $4,000 deficit in this phase of our work. Within the next six weeks we will need to spend more than $1,000 in court costs, printing and travel expenses.

"All of our lawyers except Mr. Marshall, who is a regular member of our legal staff, are serving without pay.

"With this fine example before us, and the excellent cooperation of our members and the public as a whole, we feel that all will understand the pressing need which makes us come forward again to ask that funds be sent immediately to the NAACP, 69 Fifth Avenue, New York City in order that this fight, which affects millions of Negro youth and brings thousands of dollars in wages to Negro teachers, may be carried on with vigor."

PASSPORTS REVEAL DISCRIMINATION AGAINST DOCTORS

WASHINGTON, D. C.—(ANP)—A routine announcement here last week revealed that Secretary of State Cordell Hull, who has been cancelling passports held by various United States citizens living abroad, had revoked the passports of 360 American-born Jewish medical students who are now studying in Scotland. These Jewish boys were studying in Scotland for the reason that the first class medical schools in the United States have a ban on Jews similar to that which they established on Negroes some years ago.

Schools Negroes and Jews

Only a very small number of Jews are admitted to American medical schools. They must have exceptionally brilliant school records and satisfactory backgrounds. The same sort of exclusion is directed at Negro students. In recent years three have rarely been more than two or three Negro medical students in all of the first class Northern medical colleges because of this refusal to admit them. There are practically no first class white medical schools in the South. Many of the medical schools in that section require only two and three year courses for the M.D. degree.

The Jews, however, have used a different technique to that which Negro students adopted. Negroes raised a cry of persecution and prejudice. The Jew did not let the people generally know that he was being banned. He entered wherever he could and the fact there are 360 American Jews studying medicine in Scotland is testimony of one method which was used.

The American Medical Association and affiliated organizations developed the present clinical method of medical education which went hand in hand with exclusion practices. It is said that white Gentile physicians have objected to the competition which Jewish and Negro doctors have offered and that, coupled with prejudice against both groups, has led to the restrictions.

Jews Enter Howard

Resourceful Jews have sought every method of securing professional education. Howard University Medical School. it is reliably reported, is flooded with applications from Jews every year. The administration, fearful of criticism on the part of Negroes if too many Jews get in and because of gentile frowns on the part of the American Medical Association as well as other influences, is said to have unofficially set up a quota of two Jews in each class. The new ediet of Secretary of State Hull will cause considerable annoyance, disadvantage and dislocation to the 360 Jewish students affected.

THE BLACKSMITH STRIKES WHEN THE IRON IS HOT

Robert Abbott, Editor of the Chicago Defender, has carried on his editorial page, in the Defender for 25 years, in bold type; the insignia: "AMERICAN RACE PREJUDICE MUST BE DESTROYED." The National Baptist Union-Review is of the opinion, that now is the time to strike the monster the fatal blow; but we cannot strike the blow by joining the American white man, in condemning Germany for persecuting the Jews for committing the same crime against their Jewish citizens that America is daily committing against her Negro citizens because they are Negroes.

The Negro pulpit and press, can crush race prejudice at home, if they will launch and organize crusade against race persecution, mob violence and lynch law in America, while the world is aroused over German inhumanities to the Jew. Let us put our own country on the "spot", and world sentiment will force America, to cease her persecution and inhumanities against Negro Americans, or quit calling the kettle black, so long as America is the pot. The time is ripe, to strike the fatal blow. World sentiment is hot to challenge human slavery and persecution everywhere, and if we [illegible] our race, that breathe the spirit of Liberty; they ought to strike the decisive blow, like the blacksmith does, when the iron is hot. Editor Abbott says, race prejudice in America must be destroyed. Let him get on the job and do something about it. The time is opportune for Luke to shoot or put up his gun.

Sentiment can accomplish almost anything, and the race pulpit and press with the help of God, can create enough sentiment, against economic, industrial and political slavery, to break down race intolerance in the United States. Sentiment broke down human slavery in the United States, and it will break down economic, industrial, moral, political and intellectual slavery in America, if Negro leadership will create it. President Lincoln said, he could accomplish almost anything, when sentiment was with him, but he could not accomplish hardly anything when sentiment was against him.

Let us call our forces to arm, our pulpit and press taking the lead, and thunder so loud and strong, our appeal for freedom from persecution, race discrimination, lynch murder and for social justice, our voice will be heard around the world and the United States of America, will be asked to give her black citizens at home, what she demands for the white Jews in Germany. If white America refuses to practice what she preaches, she will be forced out of the world court of clean conscience and made to stay outside, until she purges herself of her sins. Let our big editors, Bob Abbott, Bob Vann, Carl Murphy and Joe Mitchell use their metropolitan papers to set the pace for the church and press to follow in this big fight for freedom and Liberty.

This is a big job, but easily accomplished if heart and spirit chart our course. It will take perseverance, determination, patience and the tenacity of a bull dog, and plenty Grace, Grit and Greenback to do the job. The pulpit and press are dogs of war, and let us turn them a loose on our enemies. Let every pulpit and newspaper tell our government at Washington, that it is its duty to afford all of its citizens equal protection and opportunities before the law, before it attempts to meddle into the affairs of other governments. Tell the world that the United States of America, denies her black citizens a voice in government, and denounces Germany and Italy for denying the Jews a voice in their governments.

Let every secret order, church and school sound the tocsin for liberty. Advertise our persecution to the world and call its attention to the inconsistency of the American people. Don't put all the stress on the intelligent Negro, tell the story to the common people, who think more of liberty than they do of temporary security. Tell the Negro to spread the fire of hope and patrictism in the hearts of one another. Tell civilization what hypocrits the American prove themselves to be, when they beg for justice for foreign people and deny home folk justice and a square deal. Keep on crying and we will be heard. Keep on telling the world of our afflictions and persecution, and then tell them some more about it, and then tell it again.

The Irish cried seven hundred years for a free state, and then cried some more, and now they have a free state, and a voice in controlling themselves, and no more taxation without representation. Tell the world that even in the misery and privation of depression, our government distributes relief to the poor upon the ground of race or color. Giving the white peasant more than it gives the Negro peasant; measuring the amount each is to receive by the color of the skin. Don't write one editorial, preach one sermon, or protest otherwise one time, keep on protesting, keep on preaching, keep on fighting until we wake up the world in our interest as the Jew has aroused world sentiment in his behalf against their persecution in Germany. Remember that God helps only those who help themselves, and that means in our fight, that he who would be free must strike the first blow for Liberty.

—The Union-Review.

Washington and Berlin

DESPITE all that is said to the contrary there is not much difference between some aspects of Nazism in Germany and what we know as democracy in America. What difference there is rests upon the thesis that in Germany a minority group is scourged by governmental edict. In this country a minority is repressed economically and scourged, in certain situations, culturally, by a ruling public sentiment, which has brought about the enactment of laws in certain states and regulations by the Federal government, which, in effect, accomplish proscriptions here by processes less atrocious in a physical sense, than certain things accomplished by Nazi law.

It cannot be denied then, that certain appalling acts of discrimination against a minority group in America do not have government sanction. They do, because in so many instances they are permissible because of well-known state laws, and by extra-legal regulations imposed by the Federal government.

The latest example of discrimination in America which parallels certain aspects of Nazism in Germany was the refusal of the Daughters of the American Revolution to permit Marian Anderson to make a concert appearance in Constitution Hall, Washington. The Daughters fol-

low public sentiment in Washington, which is a composite study of the laws and public sentiment of the Nation.

As a singer Miss Anderson has won world renown. She has appeared in the best concert halls in America and Europe, and last season packed famed Carnegie Hall in New York three times. So much accepted is she as a real artist of the first rank that she is acclaimed even in our deep southern cities, and heard in their best auditoriums. One of the finest tributes received by Marian Anderson in recent years was bestowed upon her by the press and people of Dallas, Texas.

The Daughters of the American Revolution own Washington's two largest concert halls—Constitution and Memorial Continental. None others, available, will accommodate the Washingtonians who would want to hear Miss Anderson. But Daughters of the Revolution, a symbol, in name at least, of democracy in America, have made it a condition, so it is reliably reported, that no person of the colored race shall appear in concert, or otherwise, in their shrines. That such a thing could happen in our Nation's Capital should salve the consciences of the rulers in Berlin.

PLENTY OF WORK TO DO

The New York State Bar Association has set up a special committee to investigate and fight all violations of the Bill of Rights, thus following the example of the bar associations of Connecticut, Indiana, Ohio, Vermont, the District of Columbia, Chicago, Los Angeles, New York County, by the Federal Bar Association and the National Lawyers Guild.

Efforts are being made to have the bar associations of all States and of all cities of more than 200,000 population take similar steps.

Colored Americans know that these civil liberties committees will have plenty of work to do if they investigate and fight all violations of the Bill of Rights where Negroes are concerned.

Hard on the heels of this announcement comes one from the new Attorney General, Mr. Frank Murphy, that he is considering the establishment of a special bureau in the Department of Justice to preserve the civil liberties of citizens, with especial reference to the Thirteeenth, Fourteenth and Fifteenth Amendments.

Attorney General Murphy, who is also a director of the N.A.A.C.P., declared, when asked if this referred to Negroes "I have given consideration to the rights of all people."

It took the threats of Communism, Fascism and Nazism to bring our responsible citizens around to viewing this question with becoming gravity.

There is plenty of work for these various agencies to do in all parts of the country where Labor and Negroes are concerned.

Let us hope that these lawyers and the Department of Justice will act as well as talk.

To Discuss Violation Of Civil Rights

NEW YORK, Feb. 10—Violation of the civil rights of the Race will be one of the topics for discussion at a conference here March 4 to initiate a nation-wide, year-long celebration of the 150th anniversary of the Bill of Rights, it was learned this week.

The conference will be held at the Hotel Roosevelt under the auspices of the Committee of Sponsors of the Bill of Rights Sesquicentennial Committee, whose members include Mrs. Franklin D. Roosevelt, Secretary of the Interior Ickes, Secretary of Agriculture Wallace, Attorney General Murphy, and Walter White, executive secretary of the N. A. A. C. P.

A statement issued by the committee points out "that principles of the Bill of rights are being challenged today, that there exists a need for arousing public interest in these principles and broader cooperation in their defense."

Every phase of civil rights will be considered at the conference, including academic freedom, religious liberties, civil rights of the Race and the rights of foreign born.

NATIONAL DEFENSE BILL IGNORES NEGROES

Washington, March. 1 (ANP).—The Bill, carrying out the President's national defense program, passed the House last Wednesday by a vote of 388 to 23 after an amendment was voted down which would have prohibited discrimination by the War department.

SPIES IN THE AIR CORPS

According to the Chicago TRIBUNE, the Department of Justice agents have arrested another Army Air Corps sergeant in a new and widespread espionage investigation.

It is said that the arrested sergeant is connected with the two young Germans recently convicted of spying in the Panama Canal Zone and sentenced to prison.

Of course the sergeant is a white man, because the War Department clique will only let white men join the Army Air Corps.

They would rather have white spies than black patriots.

Race prejudice must indeed be America's ruling passion when it makes the government go counter to its best interests.

WE SHALL WATCH WITH INTEREST

Attorney General Murphy has established set-up in the legal department for investigation and dealing with the violation of civil rights under the Federal Constitution.

This sounds fine. And yet those who reflect just a little know that there is a wholesale violation of the constitution as regards to the Negro. Recently the Federal government has gone a long way with labor to protect its civil rights under the Constitution, the Senate has maintained a Civil Liberties committee which was quite active showing how the rights of labor had been violated in a series of strikes which swept the country during the past few years. However, this committee has not seen fit to investigare the lynching of human beings; neither has the department of justice shown any interest in the subject.

The attorney general has had considerable dealing with the violation of civil rights of the Negro growing out of the famous Sweet case in Detroit and in his rather close association with the work of the N. A. A. C. P.

This innovation will be watched for the field is fertil and workers with ammunition are not plentiful.

Richmond, Va., Times-Dispatch
July 30, 1939

Trends and the Negro

Editor of The Times-Dispatch:

Sir,—No right-thinking person would deny any one an education, regardless of race, creed or color, and with the many institutions of higher learning in the North open to Negro students, one wonders if the desire for entrance to white Southern schools has as its real objective the desire for genuine education, or if the whole thing reeks of Reconstruction days and another strike at white supremacy.

Many worthwhile white boys and girls are financially unable to attend college, and where this is possible, in many instances they have to select the school which offers the most for the least money. Are the Negro boys and girls so much more financially able to attend college that with all the schools open to them in the North and with the Southern Negro institutions of higher learning provided for them, they still do not have schools enough to take care of them without entering the white Southern schools? This seems hardly possible. If they can afford a college education the matter of train fare to any school in the North would be a negligible one.

Just as labor has used its best weapon—organization—to destroy itself, the Negro is using his gradual advancement to destroy his most valuable possession—white co-operation and friendship—by forcing the issue of segregation and demanding the equality of rights for Negro students in white Southern institutions of learning.

The Negro race should be proud of such leaders as Dr. Glenn T. Settle, whose radio program, "Wings Over Jordan," is enjoyed by many white people, and who, I am sure, find his short talks inspirational. The white Southerner is willing to concede recognition wherever it is due, but as well suggest doing away with the law prohibiting intermarriage of the races as to suggest abolishing the tradition of segregation in the South.

Witness the lack of success of Davis' Bend, now Mound Bayou, an all-Negro town near Vicksburg, Miss., and it will be easy to understand that co-operation is necessary between the two races, each in his own place.

The co-operation and friendship of the white race is the Negro's most valuable asset. He would do well not to lose it.

Petersburg. THELMA CRAIG.

'Will Wonders Never Cease?'



DUSTIN' —off the— NEWS

—By—

LUCIUS C. HARPER

BAPTIST OVERRIDE IGNORANCE OF ATLANTA POLICE

THE Baptist World Alliance which met recently in the South whipped the Atlanta police department that is known nationally to be overburdened with ignorance. Anytime ignorance is conquered it is worthy to chronicle the event.

Before the Alliance took official form the Atlanta coppers went out on their beats looking for Northern black people to insult and "put in their places." The first racial clash came about when Mrs. Ednah Lewis, president of the Negro Baptist women of Ohio, drove into town Saturday and asked a policeman the direction to a certain street. Mrs. Lewis had been in Berlin, Germany, under Hitler during a previous Baptist conference and asked a Nazi policeman a similar question.

Hitler's copper escorted her to her destination, bowed politely, she said, and dismissed himself. In contrast, the Atlanta policeman told her "I'm not paid to direct darkies; ask some of those niggers down the street about what you want to know."

"You are darker than I am," stated Mrs. Lewis, which was signal enough for her arrest. She was taken to jail in a patrol, locked in a cell and fined $12 the next morning before a Recorder, who, in pronouncing sentence declared: "If you had told me that, I'd have done the same as the officer—locked you up."

MRS. LEWIS demanded a receipt upon paying the fine.

"We don't give darkies receipts down here; they just take our word and go about their business, if they don't we show 'em how to," responded the judge.

The same evening another colored female delegate went into the wrong washroom in a white department store. She was locked in a cell and dismissed later with a reprimand from the judge on "respecting social equality differences."

While the Baptist World Alliance folk were endeavoring all they could to "Bring Christ to Atlanta" the police department was trying all it knew how to keep the spirit of the Heavenly Father from within its boundaries.

At the time Dr. George W. Truett, president of the Alliance, was delivering his address on the "Separation of Church and State," six white ushers and two Atlanta bluecoats were demanding that Dr. and Mrs. Ernest Estell of the St. John Baptist church, Dallas, Texas, relinquish their seats "in the white section" and "go where the darkie must be seated." Dr. H. M. Smith president of the Chicago Baptis Institute, saw the commotion and came over. He advised the cops to listen to Dr. Truett's address a moment and they would find that the church ruled the seats in question and "not the state." He threatened to make it an issue, and the cops skipped out of the scene.

* * *

WORD spread to every police station in Atlanta that Christian fellowship was prevailing at the Alliance convention and orders were issued to "break it up without having any explosion." The cops swooped down on Ponce de Leon park double-strength, and began to litter the air with the words "darkies and niggers" in directing darkskinned delegates to their seats. They insulted over ten nationalities, and felt proud of it.

Sunday night a protest meeting was called at Ebenezer Baptist church in which over 100 pastors of both races attended. The Atlanta cops was the subject. This body carried their objections to the convention and to the press of the nation. It had effect.

Dr. James Henry Rushbrooke, newly elected bearded British president of the Alliance, was about to make his acceptance speech. First, he said: "Don't let's have any more nonsense about color. We know no color line in the Alliance. Colored and white may sit wherever they wish. All signs denoting racial distinctions must be removed." The scramble for seats became general. Cheers came from the white section

and both races mingled indiscriminately. The audience thereafter resembled a human bouquet. The Atlanta cops were whipped. As ignorantly and viciously as they had tried to inject race hatred in a religious gathering, just as docilely did they admit defeat and decided to let the church run the church without state interference. They gave the best available proof that the two will not mix well for the benefit of mankind.

* * *

THERE is little or no intellectual requirement to become a Georgia policeman. It is a political plum for the most unlettered citizen. Decent men shun the job under its present set-up. There are few carrying clubs and pistols—to administer the law—who have finished the eighth grade. Many cannot write, but they know how to "cuss and use a club." They create criminals rather than reform them. They enoy humiliating and brutalizing the decent colored citizen. Under Atlanta's "curfew law" which compels "every Negro to be off the streets by 1 o'clock in the morning," they act as overlords in the land of "yessir boss," "please mam" and "thank you cap'n."

The late Andrew "Rube" Foster of baseball fame was once hijacked by Atlanta policemen, and the noted singer, Anita Patti Brown was once clubbed there while on concert tour when she took the wrong seat in a railroad station.

* * *

THIS is the next social duty of the decent white men and women of the South—its newspapers and its business men—to give its own community a respectable and intelligent law enforcement agency. It can be done, and in time, it will be done.

Religion Knocksout Jimcrowism For Count

Plaindealer 8-4-39
Kansas City Kansas

Dr. Rushbrooke of England Lauded for Stand on Racial Issue at Atlanta Conclave.

Jim Crow Placards in Convention Hall. He Orders, Take Down Those Signs—Now!

ATLANTA, Aug. 4—(ANP)—Undoubtedly the highlight of last week's Baptist World alliance convention here was the prompt action of Dr. J. H. Rushbrooke, London, Eng., in ordering the removal of all "For Negroes Only" signs and similar placards stigmatizing the Negro race, from the convention hall and corridors.

It was explained that labels such as "The National Baptist Convention," "The Southern Baptist Convention" and others had been placed for convenience of messengers and delegates, but Dr. Rushbrooke also ordered these removed when he was informed that both white and colored ushers were herding all the Negro delegates together.

Among those who led in the protest against the offensive signs was Dr. H. M. Smith, Chicago delegate and dean of the Chicago Baptist Institute. who had noticed the placards at washroom entrances and in other places. Dean Smith immediately sent the following telegram to alliance officials and to the white press:

"Together with hundreds of American and overseas delegates of various racial groups in attendance at the Bptist World alliance in Atlanta, we strongly protest the numerous racial signs prominenly displayed throughout the alliance meeting place. These signs raise the racial issue in a world religious congress. They are the racial prejudices and ghetto laws of Hitler's Germany. They brand Baptist world fellowship as a brutal and empty joke. They make the Christians who post them the laughing stock of the world."

After vainly appealing to other alliance officials to have the signs removed, Dean Smith tore down two himself, then, through a grievance committee, took the matter direct to Alliance Secretar Rushbrooke.

From the rostrum, after hearing the committee's protest, Dr. Rushbrooke shouted to the ushers: "Take down those signs—NOW! There is no color segregation in this alliance." Later, after Dr. Rushbrooke's demand had been complied with, Dr. G. L. Prince, president, National Baptist convention of America, said:

"Everything is all right now. Dr. Rushbrooke has said and done everything necessary." Attesting Dr. Rushbrooke's popularity with the 10,000 delegates for his stand against Jim Crowism and bigotry was the wild acclaim which greeted his confirmation as president of the Baptist World Alliance.

Of equal significance to the colored Baptists was the reelection of Dr. L. K. Williams of Chicago as one of the vice presidents of the alliance. Dr. Williams' name, thru resolution. had been offered as president of the alliance by Rev. R. C. Barbour, editor of the National Baptist convention official organ published in Nashville.

The resolution stated: "We must strike radicalism, the child of paganism, a deadly blow. The election of a consecrated, learned, experienced black Baptist minister to the presidency of the World Baptist alliance is the answer to that challenge.....It is the spirit we offer the name of Dr. L. K. William, pastor of the largest protestant church in the world and titular leader of 3,000.000 Negro Baptists, for the presidency of the alliance."

Dr. Rushbrooke, however, was elected president of the big Baptist body.

Jim-Crow Signs Are Removed

First Sessions of World Alliance Marked By Unity

(Continued from Page 1)

throughout the joint meetings of the Baptists of the world as over 15,000 Baptist delegates from 60 nations of the world convened together in Ponce De Leon Ball Park on Saturday and Sunday. Of these more than 1,000 were colored delegates from all over the United States.

On Saturday, opening day of the week long congress, nearly forty thousand lay church workers and ministers streamed into the local ball park for the opening exercises after a two-mile long parade through the streets of the great Georgia metropolis. In the parade there were no evidence of discrimination.

Before the congress closes Saturday of this week, 50,000 delegates expected to arrive in Atlanta and register.

The Alliance president, Dr. George W. Truett, of Dallas, Texas, presided at the opening session Saturday afternoon. Welcome addresses were delivered by Dr. L. K. Williams, president of the National Baptist Convention, Incorporated, and vice president of the Alliance, and by Dr. G. L. Prince, president of the National Baptist Convention of America, Unincorporated.

ONE PRINCIPLE

Dr. Williams, in his short address, declared: "Many races have gathered here with one underlying principle of faith—we love God. My brethren we must pray that we will be cleansed and purged by God."

Dr. Prince, who welcomed the Baptists on behalf of his organization, known throughout the land as the "Boyd Baptists," said: "We welcome you because we believe it will make clear the principles Baptists have always stood for—opposition to injustices."

One of the greatest ovations yet heard in the congress filled the air when Dr. Williams, vice president of the world-wide organization, was presented the key to the city by Atlanta's Mayor Hartsfield. Dr. Williams rode through the parade in a limousine with the Rev. N. J. Nordstrom of Stockholm, Sweden, another vice president.

A feature of the parade, witnessed by countless thousands who lined Atlanta's streets, was the Atlanta boy scout unit, composed of white and colored scouts presenting the flags of all of the nations represented.

GREAT DEMONSTRATION

Five bands made music for the parade and the representatives of the 12,000,000 Baptists in the world marched toward the ball park. Many of the colored paraders were in automobiles and they were placed in the line of march without regard to race or color. Old citizens of Atlanta regarded the parade as the greatest demonstrations of interracial cooperation ever seen in Georgia. The crowd that viewed the parade was a colorful as the parade itself.

Dr. Tanimolo Ayorinde of Nigeria, Africa, representing the 21,000 Baptists of Nigeria, was dressed in his native attire as he strode to the platform at the ball park and addressed the multitude with an air of great dignity.

Mayor Hartsfield welcomed the group on behalf of the city at the Saturday night meet. Atlanta's Governor Rivers declared that he was glad to be governor of the state at a time that such a convention met there. Lt. Governor Matthews of Ontario, Canada, delivered the response on behalf of the visitors.

Some of the music for the congress is being supplied by a combined choir of the Negro churches of Atlanta.

PLEA FOR LIBERTY

One of the highlights of the Monday session was the report of the Alliance secretary, Dr. J. H. Rushbrooke of London, who recounted progress since the last meeting in Berlin, five years ago. He appealed for the forces of the church to combat religious persecution now rampant in more than half of Europe.

He said: "Among all of the evil omens of the past five years, the most menacing is the activity of secular and ecclesiastical powers in narrowing the bounds of liberty." In Roumania, he pointed out the prime minister will not permit the opening of the Baptist churches. He said the situation continues bad in Russia. Other countries and their attitudes toward religious freedom were discussed by the secretary.

Some gains were reported in this matter, however. War can only be averted, said one speaker, if a band of brotherhood can be made to embrace the leaders of six nations—England, France, Germany, Russia, Italy, and Japan.

FDR SENDS MESSAGE

President Roosevelt sent a message to the Baptists reminding them of their "peculiar heritage of devotion to the principle of religious freedom."

In a keynote address before the delegates, on Sunday, Dr. Truett, president, appealed for more than mere toleration. He urged that Baptists continue to seek after true liberty, not only for themselves but for all denominations.

Speaking directly to Baptists in the United States, Dr. Truett, a native of Texas, declared: "While we are lamenting the loss of religious liberty and other civil rights in different sections of the world, it behooves us to open our eyes to insidious encroachments here in our own land.

MEET DR. WILLIAMS

Dr. Truett was introduced by Dr. L. K. Williams who represents the 4,000,000 Negro Baptists in the National Baptist Convention, Incorporated.

When Dr. Williams arrived at Atlanta, he was met at the train by a delegation of nearly one hundred people, including local and national Baptist leaders, members of the Atlanta Chamber of Commerce (colored) and onlookers.

The conference will continue throughout this week with sessions held at the ball park and at the City Auditorium.

Jim-Crow Signs Are Removed

First Sessions of World Alliance Marked By Unity

7-29-39

Special to Journal and Guide

ATLANTA, Ga.—The peace and calm of international and interracial brotherhood, which marked the auspicious opening of the sixth World Baptist Alliance convention, gave way to un-Christian dissension here early this week when signs, apparently intended to segregate the white and Negro delegates, appeared in the City Auditorium where sessions were being held Monday.

Colored delgates immediately protested the discrimination and the signs were removed.

The signs, common to the deep South, were resented by the Negro delegates who charged that such flagrant evidences of discrimination made the much talked about Baptist fellowship "a brutal and ugly joke."

When questioned about the matter after the signs had been taken down, Alliance officials said they were merely intended to permit delegates to "sit with their friends."

unity and harmony had prevailed this unfortunate incident occurred,

For more than two day before

Negroes Driven From Cemetery By White Caretaker; Wanted To Pay Last Tribute Of Respect

NEGROES DRIVEN FROM CITY

Residents of Brownsville, a residential section of this city hung their heads in humiliation this week after having been insulted and driven from Laurel Grove Cemetery by the white caretaker where they had assembled to pay the last respects to Mrs. Lula M. Kilgus white who had worked among them for a number of years.

Mrs. Kilgus a hosiery and cosmetic saleswoman was well known by every one in the community as she made weekly house to house canvasses. Almost all of the residents were her customers and she had become so intimate as to sit and talk for hours with a number of those whom she knew well.

Upon visiting the community this week it was learned that sometimes when she expressed fatigue or when the weather was unfavorable colored cusomers would drive her home. It was in a colored home that she expressed her fear of an ensuing serious illness.

When Mrs. Kilgus was taken ill and succumbed the entire neighborhoo dfelt regret and decided to pay their last respects by assembling and attending the funeral services.

When they arrived at the cemetery they were asked by the caretaker Johnson who is also caretaker for the colored cemetery if they were connected to which thye answered affirmatively. This did not seem to matter because a moment later they found themselves filing out in droves and the only explanation they received was "This is my bread and meat, get out"!

Atlanta, Ga. Georgian
March 16, 1939

Rules on School Segregation

Attorney General Ellis G. Arnall Thursday made public a ruling to the effect that "white persons and negroes, whether pupils or teachers of schools, are meant to be segregated in separate structures".

The ruling was given at the request of M. E. Thompson, assistant superintendent of state schools in charge of teacher training, who said the practice was followed to some extent but not altogether.

Mr. Arnall ruled particularly that white teachers could not lawfully teach negro children in the state schools and cited a provision of the State Constitution that "the schools shall be free to all the children of the state, but separate schools shall be provided for the white and colored races".

Georgia Bars Whites From Teaching Negroes

ATLANTA, Mar. 6.—(ANP)—In what is generally considered a move to keep Negroes from applying for admission to the state university system in accordance with the Supreme Court decision in the Gaines case, Attorney General Ellis Arnall ruled Wednesday that "white teachers cannot legally teach Negro children in the public schools of Georgia."

The ruling was in response to a query from M. E. Thompson, white, assistant state school superintendent, who stated the practice was being followed to some extent throughout Georgia.

Where, Oh Where Is Justice?

Saturday evening The Journal put out an extra carrying the story of how a white clerk in the Groceteria had beaten Mrs. Anna Lawson because she resented being called "Auntie." In this issue we are carrying the story anent how Mrs. Lawson was fined $100.00 or 30 days on Tuesday morning.

We are sorry that Mrs Lawson was struck by the clerk and forced to suffer the added embarrassment of a conviction and imprisonment. but on the other hand we are exceedingly glad this incident happened and we are glad it was a woman of Mrs. Lawson's character and reputation. If it had been a medicroe member of our group there would not have been any aftermath and any number of other women would have suffered more insults as the result. and maybe beaten. but because of Mrs. Lawson's good character and reputation, leading Negro citizens came to her aid.

Nothing in recent years has aroused our folk and made them realize. as never before that a peculiar racial situation exists in this city that requires mass action to remedy it.

Any number of friends were on hand to pay Mrs. Lawson's fine but were advised to give bond and appeal the case. No one believes that Mrs. Lawson will get a new trial since there is no question of law involved, but all agree that her case can be used to show our people the necessity of race cooperation—and to show the need of paying our poll tax and registering. If the Negroes in Savannah were voters we would have a different story to report in the Lawson case.

Another thing this case is going to do; it's going to demonstrate quite clearly before its all over that for the good of future race relations in Savannah, the white folk are going to have to deal with us justly in the stores and in our courts.

Chattanooga, Tenn., Daily Times
July 25, 1939

BAPTISTS REMOVE SIGNS DISREGARD COLOR LINES

ATLANTA, July 24 (AP).—The Baptist World alliance removed from its congress hall today all signs denoting seating sections for various conventions, and Negro leaders quickly praised the step.

Secretary J. H. Rushbrooke, of London, announced the alliance "knows no racial discrimination" and ordered removal of the signs which, in some instances, resulted in seating by racial groups.

Rushbrooke explained the signs had been put up "simply to enable the members of some of the larger delegations to find their friends easily."

"But," he added, "since it has been suggested that they had some bearing on racialism we will have them removed at once. And let me say that we are removing them with the full knowledge and assent of the local committee."

Shortly afterwards a few Negroes appeared in sections previously occupied by white persons and a scattering of white messengers sat down in the Negro sections. At an afternoon group meeting of young people all color lines were disregarded in the seating.

Among those praising removal of the signs was Dr. H. M. Smith, Chicago Negro, who had complained that he had been "humiliated" yesterday by being ordered out of a section of seats reserved for white persons. Smith joined R. C. Barbour, editor of the Voice, Negro Baptist paper at Nashville, Tenn., in the following statement:

"Everything is absolutely satisfactory now. We are not here to butt in on or socialize with white people. We don't want to go to white hotels, white theaters, white restaurants or white homes. But we don't want to be set apart in this alliance. We are on equal terms with any one else—Japanese, Chinese, Italians or any other group. They are not segregated. Neither do we feel that we should be."

Other expressions included Dr. T. J. King, of Pittsburgh, Pa., chairman of a "grievance" committee named by Negro messengers:

"In a conference between our committee and the local entertainment committee all points of dissatisfaction have been adjusted."

Dr. J. M. Nabrit, of Chicago, Atlanta-born secretary of the National Baptist Convention, Inc.: "Considering the conditions, what has been done would be a credit to any section of the country."

Dr. G. L. Prince, of Galveston, Tex., president of another national convention of Negro Baptists: "Dr. Rushbrooke has said and done everything that is necessary."

Barbour said racial harmony was so complete at the congress that Dr. L. K. Williams, of Chicago, vice-president of the alliance, president of the National Baptist convention and "titular leader of 3,000,000 Negro Baptists," would be proposed for presidency of the alliance. Dr. Williams indicated, however, that he already was committed to support some one else.

Officers will be elected Friday. Dr. Rushbrooke also has been suggested for president.

Kravitch Tells Journal Publisher He Didn't Mean To Use The Word Darkey

Attorney Aaron Kravitch, well known local Attorney who enjoys a large Negro practice, apologized to the Publisher of The Savannah Journal for using the word "Darky" in Court Tuesday morning.

Mr. Kravitch was representing a colored youth and was accused by another white lawyer of telling certain witnesses to leave, where upon Mr. Kravitch told the Court that he did not tell the darkies anything.

Davis Lee, Publisher of the Journal, was in Court to hear testimony in a murder case, and heard the attorney use the word, and as soon as court adjourned told Mr. Kravitch that he was surprised to hear him use the word in view of the fact that he enjoys a large colored practice.

The Attorney explained that he does not use the word ordinarily, but he lost his head and said it unconsciously, and wished to apologize for its use.

Mr. Lee told Mr. Kravitch that the use of the words darky and nigger are considered insults by intelligent Negroes; that attorneys and police officers do not use the words dago, Whop, Chink and Shinney in court when referring to the nationalities which carry these epithets. The attorney told the Publisher he thought he was justified in his attitude, and pledged to do everything within his power to help stop these insults to Negro citizens.

New Orleans, La., Times-Picayune
November 1, 1939

ASKS SUBSIDIZING OF HIGHER SCHOOL TO TRAIN NEGROES

Educator Favors State Funds to Provide Professional, Graduate Study

(The Associated Press)

Atlanta, Oct. 31.—A Southern educator today suggested setting up regional negro universities or subsidizing existing negro colleges with state funds as possible solutions for providing negroes with professional and graduate study in the South.

Discussing the question before the Southern university conference, Harmon W. Caldwell, president of the University of Georgia, said he believed the subsidization plan was "the best solution."

"For example, Atlanta has a fine university center for negroes," he said. "The state might give to a private negro institution a subsidy, allowing the school to expand and set up professional schools of law, medicine and dentistry. The state also might buy the services of those institutions."

The question was discussed in the light of a supreme court decision in a Missouri case requiring states to furnish negroes adequate facilities for graduate study or admit them to their state universities and graduate schools.

On the recommendation of Dean F. C. Smith of the University of Tennessee, the educators authorized appointment of a committee to study the question of higher education for negroes in the South. Caldwell was named chairman.

Dr. Francis P. Gaines of Washington and Lee university, Lexington, Va., was elected president of the conference, representing 41 colleges and universities in 13 Southern states. Chancellor A. B. Butts of the University of Mississippi and Charles E. Diehl, president of Southwestern university, Memphis, Tenn., were named vice-president and secretary-treasurer, respectively.

Discussing subsidization of private negro colleges, Chancellor O. C. Carmichael of Vanderbilt university asked whether Tennessee could designate Fisk university at Nashville as a university for negroes and "subsidize" in for professional work. Fisk is one of the few negro colleges in the South with a graduate school.

Dean Smith of the University of Tennessee asserted the Tennessee Legislature had "appropriated money for that purpose," and added "that not one penny has been called for to send them to Fisk."

Gadsden, Ala., Times
October 31, 1939

COURT DECISION CREATES NEGRO TRAINING ISSUE

Southern Educators Eye Problem Of Schooling In Law, Medicine

ATLANTA, Oct. 31—(AP)—A supreme court ruling that a state must provide negroes the same opportunity to study law, medicine and other advanced subjects as white residents came before Southern educators for study today.

"We must do something quickly," asserted President Harmon W. Caldwell of the University of Georgia, discussion leader at a conference of representatives of 41 colleges and universities situated in 13 states.

"Already the University of Georgia has received applications for admission from three negroes and I understand a hearing is to be held soon on a petition for a mandamus to force the University of Tennessee to admit six negroes, four to its graduate school and two to its law school. Similar situations doubtless exist in other Southern states."

The supreme court held in a Missouri case that if a state did not furnish negroes adequate facilities for graduate study it must admit them to the state universities and graduate schools. Dr. Caldwell said he did not believe it is feasible "just now" to admit negroes to Southern institutions used by white students.

"The most practical solution," he continued, "would be the setting up of regional negro universities to which all states in the region would contribute. This arrangement would save the states of a tremendous—if not prohibitive—cost of setting up separate graduate schools.

"However, if it should not meet supreme court requirements—and it might not—two other possible solutions suggest themselves:

"1. Expansion of negro state colleges to provide for adequate instruction in law, medicine, teaching, the ministry, social work and other such subjects.

"2. Financial aid to privately-owned negro colleges and universities to accomplish the same purpose, provided state laws will permit this."

Dr. Caldwell observed that development of high school and college education for negroes had contributed to bring about a "greater need than ever before" for advanced training. In 1903, for example, he said, there were less than 4,000 negroes in colleges in the United States; now, there are approximately 40,000. "We must meet that need some way or another," he said.

Kingsport, Tenn. Times
October 31, 1939

REGIONAL NEGRO COLLEGES URGED

Georgia University President Advances Plan as Education Solution

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PROTEST USE OF 'RACE' ON DRIVER LICENSE

Officials of the Chicago Branch NAACP lodged a protest with Secretary of State, Edward J. Hughes this, week, and demanded the elimination of the word "race" from the application for automobile drivers' license. It was pointed out that the race of the driver could not serve any particular purpose, except to possibly discriminate against one race —the Negro race. It was pointed out that there were supposed to be five racial groups which included the Indian, the Caucasian, the Mongolian, the African, and the Malay and it was asked of Mr. Hughes was he able to tell one from another in view of the fact that it is now accepted that there are no pure racial strains. This being true, why should the state of Illinois want to know whether or not the driver of an auotomobile was an Indian, Chinese, Japanese, or African?

Demand Forms Revised

The Branch protest further pointed out that many persons could not with truth swear under oath as is required to what race they actually belonged. The communication expressed the fear that this requirement on the application blank could be used to discriminate against Negroes as there could not be sufficient numbers of other races in Illinois for such a spearation to be of any value. State legislators were asked to introduce amendments to this law which would prohibit the Secretary of State from requiring such information on the Drivers' License application. The situation is important to all persons because failure to give such information may be the basis for refusal to issue a license. Further, any faulty information may be used as a basis of revocation of license, and who can prove that they are actually red, white, brown, yellow or black?

NAACP Wants Jim Crowism Stopped At Illinois Univ.

CHICAGO — (ANP) — This week, as state and local authorities at Champaign, Ill., were investigating vice conditions near the University of Illinois campus, Ira W. Williams, president Chicago branch NAACP urged that Jim Crowism and discriminatory practices against colored students be included in the official quiz.

The grand jury inquiry followed the recent fatal shooting of Student William Spurrier (white), allegedly by Mrs. Margaret Struthers, proprietor of Champaign's Pullman hotel, scene of the crime. Assisting Attorney General John E. Cassidy, Wallace Butler has been appointed special prosecutor in charge of the probe into vice conditions at the state university's twin cities, Champaign-Urbana.

To Law-Enforcers Cassidy and Butler and to Arthur C. Willard, president University of Illinois, President Williams of Chicago's NAACP wrote protesting treatment of Negro students on the campus. Typical of the three is Williams' letter to Attorney General Cassidy, which follows:

"The public press relates that you are conducting an investigation into law violations in Champaign and Urbana. We wish to call your attention to the fact that practically every place of public accommodation consistently, constantly and daily violate the criminal code of the State of Illinois by refusing to give equal accommodation and service to Americans who happen to be colored. Students of the university who are called colored frequently have to walk long distances in order to find a place where they are not insulted in addition to being refused, contrary to the law, accommodation and service in such public places as restaurants, taverns, theatres and places of amusement. As Attorney General of the state of Illinois, you are certainly familiar with the statutes covering such refusals.

"We are reluctant to feel that it requires the violent death of a citizen in order to make apparent to law-enforcing agencies of the state that laws of the state are being violated. We see, however, the possibility of further violent death in Champaign and Urbana, as well as elsewhere in the state of Illinois growing out of these refusals of service and accommodation to colored citizens. We feel that this is an admirable time for you to investigate the matter of violation of civil rights of citizens and particularly of students in Champaign and Urbana.

"We are asking that you utilize the same personnel and legal facilities which are probing vice conditions to probe discrimination made on account of race or color in public places in Champaign and Urbana."

POLICE TOLD OF CIVIL RIGHTS LAW DUTY

Rigid Enforcement Urged

Ira W. Williams, president of the Chicago branch, NAACP, this week called upon Commissioner Allman to immediately inform police officers of their sworn duty to arrest violators of the civil rights law when such violations are called to their attention. This matter was called to the attention of Commissioner Allman after the branch discovered that in recent cases where the police were called in by citizens following refusal of service because of color, the police were entirely ignorant of the fact that the civil rights law of Illinois specifically states that:

"It shall be the duty of all municipal, county and state officials to cooperate in the enforcement of this act. If any sheriff, deputy sheriff, chief of police, marshal, policeman, constable or other peace officer shall have knowledge or information of any violation of any provision of this act he shall diligently investigate and secure evidence of the same and shall before the proper person, take and sign complaint against the offending person anything in the ordinance or bylaws of any municipality to the contrary not withstanding. (Added by act approved July 10, 1936. L. 1936).

In addition to calling this failure of officers to act to the attention of Commissioner Allman, the Branch sent copies of the law to all police captains in the city with a request that every officer operating out of every police station read this law and be instructed to act. The Branch feels that it is time to prosecute any officer who fails to do his duty as the civil rights law is as much a part of the criminal code of the state of Illinois as any other law concerning crime.

"Interracial Dorm" Tabooed by North Western Prexy

CHICAGO.—(ANP)—One of the first official acts of Northwestern's president-elect, Franklin Bliss Snyder, successor to Dr. Walter Dill Scott, was to pointedly refuse permission to establish an interracial dormitory on the Evanston campus, where both white and colored women students could live.

There are no Negro students on the campus, the men for the most part living at the Evanston Y. M. C.A., the women students in private families in Evanston and Chicago. Four girls—three of them white—made up the committee that waited on President Snyder. The colored girl member of the committee was Eloise Boone of Chicago. President Synder told them; "There are definite reasons for refusing your request. That is all I can say. However, the girl students declared they will renew the movement for such a dormitory next year.

Hotel Bars Postal Clerk From State Convention

BELLEVILLE, Ill., June 16 Strong resolutions condemning this city and Hotel Belleville for their attitude toward members of the Race were adopted by the Illinois Federation of Post Office Clerks Saturday during the twentieth annual convention of the organization here.

The action came after Percy R. Hines, of Chicago, only Race delegate at the meet, was forced to leave the city because of discrimination.

Raising of the color question also resulted in the federation voting to change its policy regarding the participation of Race members in its activities.

Hines Barred

Hines, who is editor of the official publication of the National Alliance of Postal employes, and an outstanding civic figure in Chicago, on his arrival here Friday, June 2 was denied admittance to Hotel Belleville, official convention headquarters and was barred from attending a noonday luncheon, a banquet and dance, all scheduled as phases of the official program.

After declining to accept a room offered him over a garage several blocks away from the hotel and refusing to eat his meals alone in the basement of the hotel, Hines left here for St. Louis, Mo., where he remained until the convention was over.

Federation Protests

Meanwhile fellow delegates from branches of the federation in Chicago, Rockford, Peoria and Freeport, joined in vigorously protesting the treatment of Hines from the floor of the convention Saturday.

These protests led to the adoption by the convention of the resolutions protesting the discriminatory action of the hotel and the convention entertainment committee.

Sues Hotel For Denying Him Lodging

BELLEVILLE, Ill., Sept. 8—Based upon statutes enacted June 10, 1885, and enforced July 1, 1885, and amended subsequently, entitled "An Act to protect all citizens in their civil and legal rights," suit for damages was filed last week by Percy R. Hines of Chicago, against the Hotel Belleville of this city, charging that the hotel refused him accommodations on June 2, 1939, during the convention of the Illinois Federation of Post Office Clerks.

Hines was sent here as a delegate from the Chicago Post Office Clerks union along with several others from the Windy City, all of whom were white except Hines. All delegates from Chicago were accommodated at the Hotel Belleville except Hines.

Under the law damages of $500 may be recovered in such instances and the suit filed demands that amount. The Chicago Post Office Clerks union is backing the court fight 100 per cent, and Atty. James A. Greene of Chicago is heading the legal staff in charge of the matter and representing Hines.

The date of hearing on the case will be set when the September term of the St. Clair county circuit court convenes about September 12

SOURCE OF RACE PREJUDICE

Dear Editor:

Some people argue that race prejudice is a characteristic of the common people and that well educated or wealthy white people are free from race hatred. But I think that a sounder point of view is that race prejudice in the United States gets its prestige and sustaining philosophy from rich and well educated white people. They provide the matrix of the system which flares up from time to time among the common people.

A good example of this is the iron clad rule against colored people entering the University of Chicago clinics. No matter how well educated, how refined, there is no deviation from the rule that no colored person should be given medical examination at the Max Epstein Clinic at the University of Chicago.

A Negro may be a Ph.D. from the U. of C., he may be a member of the Alumni Association of the U. of C., he may have written books and belong to half a dozen learned societies, but the clinic wants to know only that he is a Negro to bar him irrevocably from its services. A minor concession is made for the examination of students who are actually in residence.

Within wide limits of large numbers, however, any white criminal or the most unworthy social type of any group, is welcomed at the university clinic. No kind of offer of money or plea of urgency can induce the university to relent from its rule against Negroes.

Paradoxically, however, officials of the university are in deep sympathy with Jews who have been receiving just this kind of treatment at the hands of the German Nazi. Collections are being made on the campus to provide fellowships for young Jewish refugees; and, with dirty hands, they support the propaganda against Hitler. Indeed Max Epstein himself is evidently a Jew.

An excuse for this attitude is that the university maintains a clinic at Provident hospital for Negroes. It does not maintain such an institution for any other racial or nationality group. The fact that this clinic is congested and cannot serve persons who may have need for urgent examination is of no import to the university officials. They have solved their race problem by the jim-crow method, and there is no reconsideration.—David H. Lawton Chicago, Ill.

Report Citizens Out To Stage Spending Boycott

Chicago—Just what will be the eventful fate of the Atlantic and Pacific super Market, 4729 South Wabash avenue, as a commercial asset to that great chain store concern now lies very definitely with the buyers located in that district. Since the word has spread throughout the Southside district, and other districts where Negroes live, that the A and P super market manager, P. J. McCourt kicked a small 12-year-old colored boy out of his store last Thursday, too, are seeking some kind of redress, which will enable the chain store officials to realize that after all the community buyers must be respected.

Infact one report from a civic organization stated that probably steps would be taken in the effort toward having community buyers use the small individual stores where Negroes are employed in larger numbers, and where they and their children are respected as human beings

MANAGER FINED $4.

In the afternoon of September 21, Joseph Cropper, age 12, among other boys with wagons, who seek a few pennies for delivering groceries, was waiting for an errand in front of the place. Not long afterward he went inside the store. McCourt, the manager of the place told Judge Wm. V. Daly, next morning in 48th street court that young Cropper would not leave the place when he chased him out for blocking the front part of the store with his wagon.

Three other witnesses, however, all responsible looking buyers, testified that McCourt kicked the boy twice. When confronted by the witnesses in court the store manager could recognize no one except Mrs. Jacob Cropper, the mother of the child, 12 E. 48th street.

Attorney Bindley C. Cyrus objected to a minimum fine, but after the $4 ruling declared that a heavy damage suit would probably be filed against the chain store concern.

STUDENT SAYS PROBLEM FACING NEGRO AT
NORTHWESTERN UNIV., RACE'S OWN.

(Note; Because of the widespread criticism expressed by therecent action of President-Elect Franklin Bliss Synder on discrimination on the campus of Northwestern Univ., the Bee has asked Miss Doris Evans, a student at the Univ., to present the situation as it affacts the Colored srudent at Northwestern.
Miss Evans' article presents a challenge which the race can not ignore.)

By Doris Evans.

The racial problem at Northwestern is one of major importance to the Negro race as a whole. For a number of years students have been bravely waging a battle to win privileges on the north-shore campus, and yeat the results of their efforts for the most part, are unrecognizable.
Minor victories have been won such as allowing Negro boys and girls to swim in the university pool; attend the Junior Prom.
The major problem on the campus, which the university administration persistebtly fails to recognize, is that of housing. Courageous members of the faculty have met with liberal white and Negro students. Together they have tried to map out a solution to the problem. When they are satisfied that they have a workable plan and put it into the form of a resolution, it remains unanswered upon the desk of some administrative head.
However, when these officials are asked point blank what they intend to do about the Negro housing situation, their answer is often evasive and one gathers that with the new six million dollar technicological institute the university can hardly be bothered with anything so trivial as forty Negroes and the conditions in which they are forced to live.
It seems that some years ago the Jewish students at Northwestern felt the same trouble, but being economically better off than the Negroes, they didn't hesitate to do something about it. They created scholarships and endowments and Gentiles received the benefits of them as well as the Jews. Then when the Jewish students asked to be admitted to the dormitories and open house, they could point to the money which they as a race put into the university.
Their demands were heard and today the Jewish students form a very important part of campus life. One of the most beautiful sorority houses on the campus belongs to Jewish students.
If the Negro alumni of Northwestern Univ., would unite and stand behind the students economically, conditions on the camous would improve perceptibly. If they, like the Jews, would create scholarships and allow whites as well as Colored to share in them, when the Administration asks what Negroes have done or contributed to Northwestern, instead of shaking their heads and admitting that they had contributed nothing, they could point to the fact that a certain number of scholarships had been contributed and that they had been shared between white and colored students.
Then the administration would be in a position where they would have to do something for the Negro students. If, however, the students must continue their fight alone, it will be a long time before the dormitories and open houses are opened to Negro men and women.

Bee
6-18-39
Chicago,Ill.

Tell Uncle Sam

TELL Uncle Sam, then wait and see what he will do. If anyone offered any advice to Percy R. Hines, only Negro delegate to the 20th annual convention of the Illinois Federation of Post Office Clerks, who was so shamefully discriminated against by whites during the sessions of that body which were held in the little town of Bellville, Illinois, it is likely that the above opening sentence summed up its gist. Mr. Hines was victor for the honor of being a delegate to the convention over several other aspirants. It was a just recognition to a deserving member of the organization. But, as Bellville would have it, the honorable recognition was turned into a shameful repudiation of the man who possessed every qualification for the post to which he was chosen.

To an alarming degree, race prejudice has increased in this section during the past few years. You can talk about your interracial goodwill all you like, and you can gloat over your boasted progress in race relations too, but the fact remains that everything is being done in every way, and almost every day, by whites who have no compunction with regard to their treatment of Negro citizens, and in wholesale fashion, calculated to exhibit the most venomously prejudiced attitude toward colored citizens. And what is the cause of it all?

It would seem that, at such a time as this, when the country is still gripped by the depression, and white and black people throughout the land are daily suffering for the bare necessities of life, the people would see the necessity of standing together, laying aside their pet peeves and illegitimate prejudices, and work together for the good of all—for the preservation of their common lives, and for the protection of the rights of all citizens. Only by such action is it possible to minimize the morale-wrecking effects of the prolonged depression which, God knows, has brought upon both groups penalties sufficient unto this day of evil.

But such is not the case, as the incident at Bellville too obviously shows. A government employee, because he is of the Negro group, is treated as a mangy cur, and denied the consideration shown even to beasts of the field, right here in Illinois, the state of Abraham Lincoln!

Jim Crow Lone Race Delegate At P. O. Confab

Denied Room And Meals At Hotel; Forced To Leave Convention

BELLEVILLE, Ill.—Faced with discrimination on every turn, Percy R. Hines, of Chicago, only colored delegate to the 20th annual convention of the Illinois Federation of Post Office Clerks here, June 2 and 3, was forced to leave.

As a consequence of Hines' treatment and subsequent action, strong resolutions deploring racial animosity here and in the labor movement in general were adopted by the convention. The resolutions were drawn by white delegates from Chicago.

When Hines arrived at the convention headquarters at the Belleville Hotel, he was offered quarters in a room above a garage, two blocks away, which he refused. He was told that he was to eat in the basement of the hotel, which he also refused to do. All day Friday, the local convention committee stated that efforts were being made to locate suitable quarters for Hines. Efforts were futile.

Meanwhile, he was told that he was not to participate in a noonday luncheon, a banquet, and a dance, all of which were scheduled as part of the official convention program.

Faced with having to sleep in the streets, Hines went to St. Louis, 20 miles away, where he stopped at the Pine Street Branch of the YMCA. He contacted members of the National Alliance of Postal Employees and acted on their advice not to attend the convention.

FILES SUIT



Under the Illinois civil rights bill, Percy R. Hines, veteran postal worker, has filed suit in St. Clair County, against the Hotel Belleville, charging racial discrimination during the convention of the Illinois Federation of Post Office Clerks, June 2 and 3, 1939. He demands $500.00 damages. Hines, along with five white delegates were representing the Chicago Post Office Clerks Union. Attorney James A. Greene heads the legal staff for the complainant. Hines was denied hotel accommodations, and refused admission to a noon-day luncheon, as well as denied the privilege of attending a banquet, according to the complaint.

$400 Verdict In Theatre Jim-Crow

Plaintiff Was Arrested For Refusing to Move Out of His Seat

DANVILLE, Ill.—(ANP)— An all white jury returned a $400 verdict, Friday in the Vermillion Circuit court against the Lincoln theatre, for discrimination against Negroes. The suit was filed some-time ago by the Rev. Tobias Hutchins, pastor of the Second Baptist church, on behalf of his 18 year old son against a police officer, his bondsman, and the theatre, for false arrest.

Young Hutchins went to the theatre on Oct. 23, 1937. The first three front rows had been "reserved" for colored. Hutchins was ushered to the front seat, where he sat but soon found that the pictures hurt his eyes because of the closeness. He got up and went to the middle of the theatre and took a seat but a few minutes later an usher asked him to move or get his money back. The youth refused to do either. The Manager was then summoned, and he still refused. It was then the manager called in an officer, who asked Hutchins to come outside and then wanted to know where he was from. He replied that he was from Chicago. The policeman said, "I suppose you are one of those smart guys from Chicago, trying to run our theatres. I want you to know that white folks run this town and they also run the theatres, and if they tell you to sit on the stage you sit there." After those remarks he put Hutchins in the squad car, took him to the station and locked him up for three hours. When Hutchins informed the desk sergeant that he really lived in Danville and his father was pastor of the Baptist church, the sergeant hastily freed Hutchins.

Rev. Hutchins took the matter up immediately with the Danville branch of the NAACP and with its assistance, through Atty. Nelson M. Willis, filed suit and prosecuted it to a conclusion.

Exclusion of Negroes From Auto Liability Insurance Clause Frees Chicago Man

Chicago Judge Hands Down Ruling in Expressman's Case Sending Man from Courtroom After Accident

Constitutionality of Driver's License Law Is Questioned

CHICAGO.—(ANP)—Because Negroes are excluded from the privileges of automobile liability insurance, Judge Gutknecht last week ruled that a colored expressman was not liable to a fine and dismissed the case.

The judge said, "There is a question of the constitutionality of the drivers' license law which goes into effect next May if persons of color or any other firoup are unable to drive a car due to their inability to secure liability coverage."

This statement was made after Judge Gutknecht pointed out." Walter Lowe, Southside insurance broker, told of the difficulty Negroes experience in trying to obtain liability insurance. David H. Williams, the expressman, was ordered to court last November to explain why he had failed to take out insurance and thus obtain a reduction of a fine imposed on him for a traffic offense.

Williams said that he had obtained insurance, but that later it had been canceled. Judge Gutknecht then directed Walter Lowe to write various insurance companies to ascertain their attitude on the matter. Lowe, last week, brought in 47 replies to his letters of inquiry. Forty-four of them refused to insure Negroes. The others said they would do so "under certain circumstances." In commenting, Lowe said:

"Although the insurance companies do not say so in plain words, their agents are frank in telling me that whenever a Negro is brought to court in connection with a traffic case, there are 'two strikes on him.' This being the situation, the insurance firms will be reluctant to insure Negroes for automobile liability.

"Unless juries can be taught to disregard the matter of color and race, it is highly improbable that insurance companies will accept Negroes on automobile liability; therefore, the whole state drivers' license law is in question, just as Judge Gutknecht pointed out."

Illinois Supreme Court Okays Ban Against Race

CHICAGO, Ill. — The Supreme Court of Illinois on October 10th handed down an opinion which sustains the restrictions in force against Negro occupancy and ownership in the old Washington Park subdivision, between 60th and 63rd street and Cottage Grove and South Park avenues.

Discriminatory Practices By White Insurance Co. Affect Driver's License

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Refusal To Serve Pair Costs Restaurant $500

A $500 damage suit last August drew to a close Wednesday when proprietors of a west side restaurant were found guilty of violating the Illinois Civil Rights statute by refusing service to two Race women.

The plaintiffs, Mrs. Dorothy Jarrells and Miss Lucille Marion, of 5444 Indiana avenue, filed suit through their attorney, Sidney A. Jones on August 19 after a waitress at the Geneva restaurant, 156 W. Sixty-third street, informed the women "I am sorry but we don't serve colored people here." They were awarded judgement for $500.

When arraigned Wednesday before Judge Cecil C. Smith in Municipal court, the proprietors, Mr. and Mrs. Alfredo Ysla at first denied the charge. Finally, under cross-questioning by Attorney Jones the defendants admitted that "possibly" such a thing could have occurred through fault of personal prejudice on part of a waitress.

However, Ysla contended the waitress who allegedly refused them had quit her job several weeks prior to date of the charge and therefore could not have committed the offense.

Although the woman who had refused service to Mrs. Jarrell and Miss Marion also, contended at the hearing that she had left the restaurant's employ before date of the offense, Attorney Jones produced records from the Chicago Relief Administration to disprove this. The waitress had filed for relief aid after leaving her job, and dates on these records showed that this occurred several weeks after her refusal to serve the women.

Protest Wins Race Head For DuSable Lunch Room

The drive for improvement of the lunchroom was marked by an outbreak of violence on the part of the students two weeks ago when several hundred dishes were destroyed during a demonstration of protest.

The appointment of a member of the Race to the managership of the Du Sable high school cafeteria will be announced within the next two or three weeks, according to F. O. Washam, director of lunch rooms for the board of education.

The new manager will be the first member of the Race to be assigned to this position in the local school system. The appointment is being made as the result of complaints made by a special student committee set up to seek correction of abuses in the school cafeteria. The present manager, Miss Helen Witt, is white.

Several Recommended

According to Mr. Washam, persons recommended to the board by the Chicago Urban League, and Attorney Wendell E. Greene, civil service commissioner, are being interviewed for the position.

The appointment, when made, will be Washam's answer to the last of a series of demands made by the committee after students became dissatisfied with conditions the latter part of last year.

Other demands, already fulfilled were for better sanitation, adequate equipment and help to serve the 4,000 students who eat there daily and a change in menu.

This week also saw the reappointment of Albert Logan to the budget committee of the senior class. Logan, a commanding officer in the R. O. T. C. and a member of the committee, was removed from his position by Miss Hedwig Schlotthauer, for his participation in the campaign to improve conditions in the lunchroom.

Chauncey Willard, principal of the school, reappointed Logan on Wednesday, when the matter was brought to his attention.

Miss Geraldine Lane, pretty 20-year-old co-ed at the University of Chicago, who set tongues a-wagging in the Windy City when she resigned from the annual beauty contest conducted by the University yearbook, Cap and Gown. She said that she withdrew from the contest because of the unofficial manner in which she was nominated.

DELIVERY BOY 'JIM-CROWED' AT WHITE HOTEL; SUES

On August 10, 1937, Walter Trische, age 17, 5646 Wabash avenue, went to deliver some laundry to a guest in the Lansing Hotel, 1036 North Dearborn street. When he sought to go to the guest's room he was told that "n....rs" cannot ride in the guest elevators. When the case was reported to the Chicago Branch, NAACP, Atty. William Temple of the Legal Redress Committee was assigned to the case and suit was filed. The principal witness, the guest in the hotel, a World War aviator, last week made his deposition for the trial which is now set for hearing before Municipal Court Judge McCormick and jury on March 6.

The Civil Rights law of Illinois specifically forbids any discrimination on account of race or color in the use of elevators and great interest has been shown in the case as this practice of asking colored people to use freight elevators in public hotels is in vogue in many parts of the city.

"JERRY" LANE HITS GROUP'S "UNFAIRNESS"

Leads 10 Whites in Beauty Poll

Miss Geraldine Lane, 546 East 46th street, who last week was leading 10 white girls in the University of Chicago's annual beauty race, quit the competition charging unfairness, it was learned this week. The contest conducted by the Cap and Gown, U. of C. yearbook is held each year on the Midway campus. The winner is honored with a full-page picture in the yearbook

Miss Lane, who is known to her friends as "Jerry" was chosen by a group of white University of Chicago students as the most beautiful co-ed on the campus. Thursday, when it was found she was running 60 votes ahead of her nearest rival, the committee in charge, representing ten leading white fraternities, decided they must act — and fast.

Committee "Acts"

The possibility that the pages of Cap and Gown might be graced with the picture of a Negro girl called for fast thinking and quick action. They decided that too many of the votes given Miss Lane a "write-in" candidate", appeared to be "in the same handwriting". They also decided that since she was not an official candidate her votes could not be considered.

Miss Lane's name was written in on the ballots as a joke, one of the students stated last week. It seems several of the fellows, piqued because one of the girls they thought should have been selected wasn't. They decided to have some "fun" and support Miss Lane urging fellow students to write her name in on the ballot. Informed of the action of the committee in deciding not to consider the votes she had received "Jerry" decided if the group didn't want to run the contest fairly, she would withdraw and let a white girl have the crown.

COUNTY MEDICAL SOCIETY TO VOTE ON ADMITTING NEGROES

EAST ST. LOUIS, Ill., April 27 —(ANP)——Admission of the eight Negro physicians here who are otherwise eligible for membership into the St. Clair Medical society will be voted upon at the society's monthly meeting May 4 at St. Mary's hospital.

The organization for 74 years has had a clause barring Negroes. The proposed amendment would strike out the clause that membership would be restricted to the white race, and will be adopted if two-thirds of those attending the meeting vote affirmatively. Thereafter Negro applicants would be admitted under the same conditions as whites.

Dr. R. L. Campbell, chairman of the society's public relations committee, said Negro physicians are now barred from lectures given before the organization and from participating in staff meetings at St. Mary's. Passage of the new law would do away with these conditions.

However, there is heated objection to the proposal by a considerable number of members. These doctors say that since the society gives a large number of social affairs, association of the races at such places would create "embarrassing situations."

TAKE RESTRICTIVE COVENANT FIGHT TO ILL. STATE CAPITOL

SPRINGFIELD, Ill., May 4—(ANP)—A group of prominent Chicago lawyers and representatives of civic and social welfare organizations journeyed to the state capitol here last week to urge passage of bills affecting the rights of Negroes. Notable among these measures was a bill introduced by Senator William A. Wallace (Dem., Chicago, sole colored member of the state senate) which would make restrictive covenants illegal.

Long the bugbear of Chicago Negro property owners, the restrictive covenants in deeds to property in so-called white districts have drawn a tight legal band around the Southside colored section, resulting in this overcrowded district housing 69,000 living to the square mile—as compared to the adjoining white section where there are only 37,000 persons to the square mile.

The restrictive covenant forbids the sale or lease of property in white districts to Negroes, and in several bitterly fought court cases, the legality of the covenant has been upheld. In an effort to kill the jim crow covenant through state legislation, the party of Chicagoans came here in support of Senator Wallace's bill.

Testify Before House

Among those who testified before the house and senate committee were Atty. Loring B. Moore, Chicago; William Ashby, secretary, Springfield Urban League, and Frazier T. Lane, civic welfare worker; Representative Charles J. Jenkins, Atty. Irving Mollison, Mrs. Neva Waters-Ryan, president, Democratic Workers' union, and Horace R. Cayton, sociologist, all of Chicago.

Among the whites opposing the Wallace anti-restrictive covenant bill were representatives of property owners in the white Oakland, Woodlawn, Hyde Park and Englewood sections of the Chicago's southside. In the white group were Newton C. Farr, president, Chicago YMCA and former secretary of Mayor Kelly's Keep-Chicago-Ahead committee, who represented the white property owners of the Oakland district. All the whites present at the committee meetings protested vigorously against killing the jim crow covenant.

Senator Wallace spoke in behalf of his bill before the senate judiciary committee and the other colored leaders present tried to get through a ruling that the bill

be given a hearing in open session of the assembly. This move was blocked by a white representative of the Englewood district who told the committee such a hearing would be opposed by property owners of his section. As a substitute motion, he proposed o meeting for the near future of all parties concerned to be held in Chicago's loop district. His motion was carried, so the fight scene has again been shifted to Chicago.

ILL. SOLONS INTRODUCE BILLS TO SAFEGUARD NEGROES' RIGHTS

SPRINGFIELD, Ill., June 8. — Action is now being pressed on many bills affecting civil rights of colored citizens and introduced at the present session of the Illinois general assembly by Chicago representatives and Sen. William Wallace (Dem.) lone colored member of the state's higher legislative body.

Bills introduced by Sen. Wallace: S. B. 15, "Requires a company or other seller or installment plan (conditional sales contract) to refund at least 1-5th the amount paid in before seller can repossess his merchandise after 2-3rds of purchase price has been paid by buyer." S. B. 244, "Prevents building and construction companies holding contracts with the state from discriminating against Negroes." Authoritative sources declare provisions of the latter bill have already been enacted into law. The previous bill was introduced by former Senator William E. King (Rep.)

Outlaw Covenants

The two bills introduced by Rep A. Andrew Torrence (Rep.): H. B 82, "Would make restrictive covenants illegal, as violating the civil rights of Negroes," and H. B. 302 "Would bring domestic servants under protection of the minimum wage act." Rep. Torrence's first bill, 82, has aroused statewide interest and prompted heated discussion in state legislative halls, because of deplorable housing situations in Chicago where, because of restrictive covenants in real estate deeds, Chicago's 250,000 Negro citizens are virtually squeezed into one district, the so-called Black Belt. The bill is still "in committee."

Bills introduced by Rep. Charles J. Jenkins (Rep.): H. B. 375, "Would give Negro automobile owners same insurance protection as other automobile owners;" H. B. 585 "Provides for election of municipal court judges by districts;" H. B. 373, "Provides that labor organizations discriminating against race or color shall be denied collective bargaining privileges;" H. B. 374, "An application for driver's license is not to refer to race of applicant;" H. B. 368, "Requires buses operating through the state to provide rest room facilities, and not to stop at any station where equal accommodations are not accorded in restaurants."

H. B. 372, "Requires the attorney general to enforce the Illinois Civil Rights in any community of the state;" H. B. 370 "Eliminates the requirement of a photograph on state civil service applications;" H. B. 586, "Requires merit system of selection of employes by public utilities — provision against discrimination on account of race, creed or color in the matter of selecting their employes;" H. B. 417 "Provides that habeas corpus action shall be filed without cost." This last bill by Rep. Jenkins has passed the house and is now in the senate.

PERCY HINES LEAVES MEET IN PROTEST

Town's Color Bar Scored

BELLEVILLE, Ill., June 8. — (Special)—Percy R. Hines, the one and only colored delegate to the 20th annual convention of the Illinois Federation of Post Office Clerks held here June 3, was faced with racial discrimination on every hand in connection with plans for the assembly, it was declared this week.

Headquarters of the convention were at the Hotel Belleville where the sessions were held and where most of the delegates from all parts of the state were registered, including the Chicago party. When Hines arrived early June 2, he was offered quarters only in an old room above a garage two blocks from convention headquarters. He refused Jim-Crow accommodations. He was told that he was to take his meals in the basement of the hotel, which he also refused to do.

Discrimination Upheld

All day Friday, the local convention committee stated that efforts were being made to locate Hines in suitable quarters. It failed to do so. Meanwhile, Hines was told that he was not to participate in a noonday luncheon, a banquet, and a dance, all of which were scheduled as part of the official convention program.

Other delegates from Chicago, including Sol Cohen, Newton G. Janzen, and George J. Wachowski, registered vigorous protests with hotel officials and with the local convention committee concerning the treatment of Hines.

Went to St. Louis for Lodging

With night approaching, and no place in view for lodging, Hines went to St. Louis, Mo., 20 miles away, across the Mississippi river, where he stopped at the Pine Street Branch of the Y. M. C.A., Friday night, June 2. He contacted members of the National Alliance of Postal Employees in that city, and acted upon their advice not to return to Belleville. Telegrams to that effect were sent to members of the Chicago delegation who were still in the fight for equality.

At the session of the Federation held Saturday afternoon, June 3, strong resolutions were adopted deploing racial animosity in this city and in the labor movement in general. The state organization also lifted the ban on colored representatives in connection with its various functions.

Delegates from Rockford, Peoria, Freeport, and other cities joined with the Chicago representatives in the fight for justice. Emil Greene, Irwin E. Klass, and Frank J. Gell were among other Chicagoans in attendance at the convention. Edward F. Shea of East Saint Louis, is president of the federation; Carl E. Erler of Streator, is secretary-treasurer.

DISCRIMINATION*- 1939

IOWA

Negro Students Asked Not to Dance at Drake Affair

A group of Negro graduates of the high schools of Des Moines were insulted on Tuesday night when they attended the annual entertainment that is sponsored by Drake university, which was given at Riverview park and pavillion.

Dressed in appropriate clothes for the occasion, couples of students arrived at the park, expecting to enjoy fully what their sponsors at Drake university had scheduled for them and what their invitations, mailed to them from the hosts, had sent out in the printed word.

With a desire to dance, a young couple, students of this year's graduating class of the city high schools, arrived at the park early and sought the dance hall, where they were admitted and danced, among their white classmates.

Other Negro students arriving at the park later—desired to dance, also, and they sought admittance to the dance hall but were stopped at the door by an attendant who informed them that they could not dance—that the park management would not permit the Negro students to dance—if they entered the hall they must not dance, several of the embarrased students informed a Bystander reporter this week.

The students objected to their being refused and when they did the attendant at the dance hall called a police officer to try to get him to inform the colored student guests that they could not enter the dance hall and mingle with the white students, who were enjoying the dance and the music.

One of the students related that the couple who had gained entrance to the hall early and had been dancing, left the hall with their passes and when they desired to return later, they too, were refused and the manager asked them not to dance "for his benefit," the informing student told the press.

Drake Sponsor 'Sorry'

A representative of Drake university, Ed. C.Lytton, who was in charge of the student affairs, was contacted by the Bystander.

Mr. Lytton was "very sorry" that the Negro students were embarrased.

"I have done all I can to avoid it," he informed.

"It is a difficult problem," he stated in discussing the situation that confronted the colored students but he assured that "it is not the spirit of the school."

"Every once and a while we run across something that we cannot do anything about," he said.

Asked why he invited the students to places where the colored would be embarrased, Mr. Lytton explained that several days prior to the entertainment someone interested in the welfare of the Negro students phoned him and asked him if the colored students should attend.

At that time, Mr. Lytton said he advised the person that it "would not be the best thing" for the Negro students to go out to dance because they "had trouble with that place before about the colored students."

"Of course, there were about 4,000 persons in the park and about 2,000 in the dance hall," he observed.

"We are just up against it when the colored students are not welcomed," Mr. Lytton said.

OTHER JIM CROW ACTS ARE CITED

Call 11-10-39

Young Soldier Also Tells Need of Negro Doctors, Nurses

CHICAGO. — (ANP) — After a new war department theater with special jim crow facilities for Negroes was erected a few months ago at Fort Leavenworth, Kas., home of the Tenth cavalry, the commandant of the army post at Fort Riley, Kas., asked the quartermaster general in Washington to remodel the five-year-old theater there along Leavenworth plans for greater segregation of Ninth cavalry soldiers and their families.

This, and many other examples of discrimination against colored enlisted men by the government are sworn to defend, was revealed to the Associated Negro Press this week by Levi Pierce, the young soldier who after 10 years of service obtained his discharge in disgust over rank indignities to which he and other Negroes were subjected. Recently Mr. Pierce directed an open letter to Secretary of War Woodring stating specifically these major complaints.

The theatre at Leavenworth was constructed with special and separate lavatories to be used by 10th cavalrymen and families. This occurred under the direction of Lieut. Col. Gilbreath and Brigadier-General Bundel, now retired. Colored soldiers at this post are limited to certain segregated theatre seats while white enlisted men may sit anywhere except in the officers' section.

As soon as the present commandant at Fort Riley, General Robert C. Richardson Jr., saw the completed Leavenworth theatre, he wrote to the quartermaster general, who authorizes expenditures of public funds for repairs of buildings and new projects, pointing out that installation of separate lavatories for Negroes would be a "worthwhile project" at the five-year-old Fort Riley theatre, Mr. Pierce says. The letter was sent to Washington without being made public at the post.

Kansas Jim Crow Case Is Watched

NEWTON, Kans.—(ANP) Nation-wide attention and interest have been directed to the fight that is being waged by Negro citizens who have appealed to the Kansas State supreme court, seeking mandamus proceedings to force the city of Newton, through its city commissioners and mayor, to permit Negro citizens to use the publicly-supported and city-owned swimming pool operated in Athletic park.

The case had its beginning in 1936, three years ago this month. The publicly-supported swimming pool was made possible through bonds voted totaling $30,000 for that purpose, the bonds having been voted to be retired in ten years.

In June, 1937, four Negro citizens, Donald E. Kern, Aldace S. Mercomes, Ray Wagner and Paul Jackson, were denied use of the swimming pool. Sam Ridley, leader and president of the Newton branch National Association for the Advancement of Colored People, protested to Mayor Walter J. Trousdale refusal of use of the swimming pool would be leased to a private persons who would determine who should and should not use the facilities.

The N. A. A. C. P. head pointed out to the mayor that such a contract would be "illegal' except it contained a clause stipulating "There shall be no discrimination against any person on account of race, color or creed." Ridley also pointed out that the city might, if such a maneuver were legal, lease the water, gas and electric departments and all other city property that is used for and by the public, and thus refuse use to Negro citizens if the swimming pool could be so leased and restricted.

Thereafter a committee of three persons was named to confer with and protest to the city commissioners at their regular sessions. Getting no satisfactory response mandamus proceedings were filed directly with the Kansas supreme court.

RACE EXPECTS STATE SUPREME COURT TO ACT

City Of Newton Puts Ban On Publicly Owned Property

NEWTON, Kans., June 30—A fight is being waged by Race citizens here who have appealed to the Kansas state supreme court in an effort to force the city to permit them to use the publicly-supported and city-owned swimming pool that is operated in Athletic park.

The case had its beginning in 1937 when four citizens—Donald E. Kern, Aldace S. Mercomes, Roy Wagner and Paul Jackson were denied use of the swimming pool.

Sam Ridley, vigilant leader and president of the Newton branch of the National Association for the Advancement of Colored People, protested to Mayor Walter J. Trousdale. The mayor informed Ridley the swimming pool would be leased to a private person who would determine who should and should not use it.

N.A.A.C.P. Speaks

The N.A.A.C.P. pointed out that such a contract would be illegal except it contained a clause stipulating "There shall be no discrimination against any person on account of race, color or creed." Ridley also pointed out that the city might, if such a maneuver were legal, lease the water, gas and electric departments and all other city property that is used for and by the public, and thus refuse use to Race citizens, if the swimming pool could be leased and restricted.

Thereafter a committee of three persons was named to confer with, and protest to, the City Commissioners at their regular sessions. The committee made two trips to the Commissioners' meeings at regular session. The commissioners refused to receive the committee.

Protest by Letter

Ridley then protested by letter to Mayor Trousdale and to each member of the City Commission. Getting no satisfactory response through Elisha Scott, Topeka, mandamus proceedings were filed didamue proceedings were filed directly with the Kansas supreme court seeking to force the city to permit use of the pool to all citizens, regardless of race, color or creed.

The city filed petition to quash the mandamus motion, but lost its motion to quash April 5, 1938. Later the city, through Fred Ice, city attorney, obtained a delay to present supplemental answers to the mandamus motion.

The 30 days expired May 28. The Kansas State supreme court is momentarily expected to render its decision, which is a matter of nationwide interest.

Insurance Protection Needed

The taxicab lines owned and operated by members of our race should abide by the regular city ordinances just as other common carriers. Citizens who pay fares to be transported about the city should have protection to the last degree from whatever insurance can be had. There should be no separate ordinance in regard to taxicab lines owned and operated by Negroes. The fact that some may not be able to comply with the city ordinance in our opinion does not justify the City Commissioners granting special legislation for Negro taxi lines. The Mayor was right when he said that "it looks like we have been discriminating against the colored people by compelling the white taxi operators to give protection to the white passengers and failing to make the colored drivers give protection to their passengers, in case of injury or damage. Of course we hate to see anybody put out of work, but at the same time, we feel that the safety of citizens using public carriers and the pedestrians and children who occupy the streets as well as passengers should have protection.

We do not feel that any special committee or representatives of colored citizens can decide the issue. The city ordinance stands and Negro taxi lines should comply with the law. It would be a fine thing if a special committee or representatives of our group could induce the insurance companies to adjust their rates so that Negro taxi lines could comply with the city law. We want our own taxi lines to operate in Kansas City, but at the same time we want insurance protection. As citizens, we are entitled to that protection and the City Commissioners should enforce the ordinance.

The question seems to be a matter of the insurance rates being too high for the Negro taxi lines to comply with the law. That is the problem of the owners of taxi lines and those who invest in common carriers. The taxicab is a business, a profit making business just as other business institutions. Other business institutions must comply with city, state and federal laws or close up. After all is said and done, the customer pays the bill and those who collect the fee should give the best service with whatever protection can be had. The only solution is, "insurance protection."

SEGREGATION OF SOLDIERS EXTENDS TO POST THEATRES

Courier 11-11-39

No Negro Doctors or Nurses in Army; Many Examples of Discrimination Listed.

CHICAGO, Nov. 9 (ANP)—After a new war department theatre with special jim crow facilities for Negroes was erected a few months ago at Fort Leavenworth, Kas. home of the 10th Cavalry, the commandant of the army post at Fort Riley, Kan., asked the quartermaster general in Washington to remodel the five-year-old theatre there along Leavenworth plans for greater segregation of Ninth Cavalry soldiers and their families.

This, and many other examples of discrimination against colored enlisted men by the government they are sworn to defend, was revealed to the Associated Negro Press this week by Levi Pierce, the young soldier who after 10 years of service obtained his discharge in disgust over rank indignities to which he and other Negroes were subjected. Recently Mr. Pierce directed an open letter to Secretary of War Woodring stating specifically these major complaints.

POST THEATRE HAS SEPARATE LAVATORIES

The theatre at Leavenworth was constructed with special and separate lavatories to be used by Tenth cavalrymen and families. This occurred under the direction of Lieutent Colonel Gilbreath and Brigadier General Bundel, now retired. Colored soldiers at this post are limited to certain segregated theatre seats while white enlisted men may sit anywhere except in the officers' section.

As soon as the present commandant at Fort Riley, General Robert C. Richardson, Jr., saw the completed Leavenworth theatre, he wrote to the quartermaster general, who authorizes expenditudes of public funds for repairs of buildings and new projects, pointing out that installation of separate lavatories for Negroes would be a "worthwhile project" at the five-year-old Fort Riley theatre, Mr. Pierce says. The letter was sent to Washington without beink made public at the post.

According to the former soldier, one of the chief handicaps in getting improved conditions is the attitude of many enlisted men. Some Ninth cavalrymen, he said, are welling to take conditions as they are and oppose the introduction of colored officers since under the present conditions they have certain practices and privileges through being "pets" of white officers there.

Although many situations have been abolished after newspaper exposes, at Fort Leavenworth there is still in existence a regulation banning sale of any item to any Tenth Cavalryman at the main post exchange if it may be bought at the jim crow Tenth Calavry branch exchange.

Meanwhile at Fort Riley there are three tables marked "reserved" in the post exchange. They are for the use of Negro soldiers who may use no others although the exchange is supported by both white and colored.

Mr. Pierce said that colored doctors and nurses are "sorely needed" in the army. There are none at all connected with the regular army. Those with CCC camps are not regular army doctors, and those at the Tuskegee Veterans hospital are likewise not regular army doctors and nurses.

TO SEE IF KANSAS NEGROES CAN EAT IN ICE-CREAM PARLOR, TO SUPREME COURT ON NOV. 10

Meyer's Dairy Concern Seek's High Court's Decision After Demurrer Is Overruled in District Court

KANSAS CITY, Kas.—(Special)—Friday, November 10, before Supreme court, the appeal of the case of Lulu Ruth Brown versus the Meyer's Sanitary Milk company will be heard and decided upon.

The dairy concern, which is the appellant, sought the decision of the state supreme court after a demurrer to the petition of the apellee was overruled in the Wyandotte County district court by Judge J. H. Brady, judge pro tem.

Considerable interest is being shown in the case inasmuch as it is regarded as a test to break down practices of segregation and racial discrimination toward the Negro in Kansas City, Kas.

the fall bench of the Kansas State

To Determine the Law

According to Forrest B. Anderson, counsel for Mrs. Lulu Ruth Brown, the supreme court judges will determine whether ice cream parlors, restaurants, confectionaries, soda fountains and luncheon counters come under the provisions of the Kansas Civil Rights law.

11-10-39

The demurrer to Mrs. Brown's petition was based on the assertion that the ice cream parlor did not come within the Civil Rights enactment. If, however, the supreme court rules that ice cream parlors come within the provisions of the law, Negroes will have cause of a action for damages wherever and whenever they are refused services in such places—unless the case is appealed to the federal court.

The Monrovian club, a leading men's civic and social organizations of Kansas City, Kas., is furnishing funds for Mrs. Brown and her attorney to take the case through the supreme court. Support of the local branch of the N.A.A.C.P. has been sought, but so far has not been forthcoming, according to Mrs. Brown, who states that she tried to get the N.A.A.C.P. support through a written appeal to the national office at New York. Thurgood Marshall, special counsel for the national office of the N.A.A.C.P. filed a brief amicus curiae in July and instructed the local branch to aid in carrying the test case as far as necessary in the courts.

Many to Go to Topeka

A number of interested citizens—most of them members of the Monrovian club—will go to Topeka next Friday to attend the court hearing of the appeal.

Facts of the case are these: The appellee, Lulu Ruth Brown, 202 Franklin avenue, a Negro woman, went into the restaurant and ice cream parlor owned by the appellant, Meyer's Sanitary Milk company and asked to be served some ice cream. The ice cream parlor is located at Seventh street near State avenue.

According to Mrs. Brown's petition, a waitress refused to serve her because of her race and color. When Mrs. Brown asked why she could not be served, she charges that she was promptly told that it was against "the boss' orders to serve colored people."

She brought suit in the Wyandotte County district court and asked damages for the insult under the Kansas Civil Rights law. The dairy concern demurred to the petition and argued that the petition did not state facts sufficient to bring the case within the terms of the act.

Law Cites Punishment

Friday, November 10, the judges of the supreme court will hear the case to determine whether a place equipped for rendering such services as those given by the ice cream parlor is a place of entertainment and amusement, which come within the terms of the following excerpt from the Civil Rights law::

"212424. Denying Civil Rights on Account of Race, Color, etc., Punishment.

"That if any of the regents, or trustees of any state university, college, or other school of public instruction of the state superintendent, or the owner or owners, agents, trustees or managers in charge of any inn, hotel, or boarding house, or any place of entertainment or amusement for which is a license is required by any of the municipal authorities of the state....shall make any distinction on account of race, color, or previous condition of servitude, the person so offending shall be deemed guilty of a misdemeanor.... and shall also be liable to damages in any court of competent jurisdiction to the person or persons injured thereby."

ADMITS RIGHT OF STUDENT TO ENTER STATE U

Defender

Appoint Committees For Studying Ways, Means Of Handling Issue

12-9-39

NEW YORK, Dec. 8—The recognition by the Kentucky Governor's Advisory Committee on Negro Education of the right of Race citizens of that state to attend the University of Kentucky was regarded as a direct result of the campaign waged by the National Association for the Advancement of Colored People to open the doors of state universities in southern and border states to all persons without regard to color.

Chicago

The governor's committee passed a resolution at a meeting held in Frankfort last week which recognized the right of Race citizens to take courses at the University of Kentucky not duplicated at the Kentucky State College for Negroes, instead of accepting scholarship aid from the state to take such courses outside of Kentucky.

The committee's report called attention to the United State Supreme Court ruling handed down December 12, 1938 in the case of Lloyd Gaines versus the University of Missouri.

This case was carried to the Supreme Court by the N.A.A.C.P.

According to reports the committee resolution named a subcommittee to draw up plans for the 1940 Kentucky general assembly which would include a provision to determine the "actual difference" in cost to Race students taking higher educational courses in states that admit them, and to determine how these courses might be provided for them in Kentucky.

The committee also instructed the sub-committee to survey the courses given at the University of Kentucky and the Kentucky State Teachers college, that are not duplicated at the state college for the Race, and to determine how many Race students desire the higher courses.

President Frank L. McVey of the University of Kentucky, who was not present, was appointed chairman of the committee by former Gov. A. B. Chandler, now in the United States Senate. He was said to be confined to his home in Lexington. Dr. McVey was quoted as having nothing to say about the report, because he had no part in preparing it, and did not attend the meeting.

Chattanooga, Tenn., Daily Times
January 28, 1939

NEGRO ASKS ADMISSION TO U. OF K. LAW SCHOOL

LEXINGTON, Ky., Jan. 27 (AP).—President Frank L. McVey, of the University of Kentucky, said today Alfred M. Carroll, 27, Negro law student at Howard university in Washington, had applied for admission to the Kentucky school, but expressed belief Carroll was excluded by Kentucky law.

Kentucky University May Be Forced To Admit Race

FRANKFORT, Ky.—There is a possibility the University of Kentucky here may be obliged to admit Negro students for the first time in its history as a result of a recent United States Supreme Court decision.

The high tribunal ruled, in the Gaines case, that Negroes could demand admission to public schools in states where no separate institutions are maintained for them. A part of the ruling was that they could not be compelled to leave the state to obtain courses of studies offered to whites at home.

In Kentucky there are several Negro schools but none offers courses in law, medicine, engineering and other studies available to white students.

Metropolitan Life Loses In 2 Courts; Fights Payment Of $100 Death Benefit

LOUISVILLE, Ky.—(SNS)—The great Metropolitan Life Insurance Company, that refuses to employ Negroes yet insures Negroes under certain classes of rates and gladly invests their money, fought hard to pay a Negro widow $100. The Metropolitan lost its case in two courts and threatens to appeal further.

Noah Sands was insured June 17, 1937, in the Metropolitan Life Insurance Company on a 20 cents a week policy for $100. He died April 28, 1938. The Metropolitan refused to pay off on the ground that Sands had been in a hospital within two years before the policy was written which was a breach of a clause in the policy.

Mrs. Mary Sands, the widow, put her case in the hands of Attorney R. Everett Ray and Attorney W. C. Buford. They argued that the company's doctor had declared the man fit and insurable and a good risk.

And on his recommendation insured Sands. That was the issue they debated. Ray and Buford won the case in Magistrate T. J. Young's court. The Metropolitan appealed and Ray and Buford won before Judge Ward Lehigh in Quarterly Court December 22, one hundred dollars plus interests and costs.

White insurance companies employ no Negroes as clerks, collectors nor any other way. They take Negroes' money, invest it and get rich then fight pay offs. Negroes should support their own companies.

Knoxville, Tenn. Journal
March 12, 1939

Chandler Bans Negroes From State Schools

Says They Can't Enter Kentucky Colleges

FRANKFORT, Ky., March 11 (AP)—Kentucky colleges cannot admit Negroes who seek courses not available to them in the state's Negro schools, Gov. A. B. Chandler declared today at a conference with white and Negro educators.

The governor pointed out that the Kentucky constitution prohibits Negroes from attending white schools, and told the Negro representatives:

"If you insist on going to the University of Kentucky now you are making a mistake because there are barriers which we did not make and for which we are not responsible to prevent you from going to the university."

Chandler asserted his administration had been Kentucky's first to provide money for Negroes to obtain in out-of-state schools professional and other training not available in state Negro schools, but he added:

"I see no immediate prospects for completely equalizing opportunities for higher education at the present time."

Ky. Governor Tries to Balk Equal Education

FRANKFORT, Ky.—(ANP)—Governor A. B. (Happy) Chandler told a conference of colored and white educators, held here last week that Kentucky schools cannot admit colored persons who seek courses not available to them in the colored schools of the State.

The Governor defended his position by saying that the Kentucky State Constitution prohibits coolred persons from attending white schools.

"I see no immediate prospects," the governor continued, "for completely equalizing opportunities for higher education at the present time."

Should Open Doors

"The right thing to do," said Dean David Lane of the Louisville Municipal College, "would be to admit colored students to the University of Kentucky."

The Governor replied that he intended to appoint a committee for both sides and let it seek a solution.

Dean Alvin E. Evans of the University of Kentucky, said a suit would have to be filed to test the present law before colored students could be admitted.

Dean Evans "described the uncomfortable position which a colored student would feel among a large number of white men." He declared he was not prejudiced and that in college he had a colored classmate.

Educators Interview Governor

State Chief Blocks Entrance To Kentucky U.

FRANKFORT, Ky.—The recent decision of the U. S. Supreme Court in the Gaines Case of Missouri to the effect that equal education should be offered to Negro students within the borders of the state, is beginning to cause some concern among the authorities of Kentucky.

The Kentucky Negro Educational Association through its Legislative Committee, responding to statewide pressure of Negro citizens, sought a conference on the subject with Governor A. B. Chandler. After repeated efforts by Prof. A. E. Meyseek, Chairman of the committee, the Governor finally set the date at 10:30 March 11.

CITIZENS OBSERVE

Promptly at the set time Chairman Meyzeek led his committee into the Capitol Building. Frankfort citizens were observing but unaware of the import of such a scholarly delegation filing into the Governor's office. They were Prof. W. H. Fouse, President of KNEA from Lexington; Chairman A. E. Meyzeek, Louisville; Dean David A. Lane of Municipal College, Louisville; Prof. S. L. Barker, Owensboro; Prof. W. L. Sleat, Paducah; President R. B. Atwood, State College, Frankfort; Prof. G. H. Adams, Winchester; Prof. Caudler, Lexington; Prof. A. S. Wilson, Executive Secretary KNEA, Louisville; W. C. Buford, Insurance Executive, Louisville; Prof. Whitney Young, of Lincoln Institute, Lincoln Ridge; Dr. G. D. Wilson, Municipal College, Louisville; D. H. Anderson, West Ky. College, Paducah; and J. A. Thomas, Urban League Executive, Louisville.

This committee was faced by Governor A. B. Chandler, State Supt. Peters, Dr. Jaggers of State Department of Education; Dr. Evans of the Law Department of University of Kentucky; Dr. Kent of University of Louisville and Mr. L. N. Taylor, State Supervisor.

ADDRESSES CHIEF

After being pleasantly received and seated, Prof. Meyzeek arose, addressing the chief magistrate, and stated the object of the visit, referring to the Gaines Case in Missouri and the decision of the Supreme Court requiring equal education for Negro youths within the borders of the state; that special professional and technical training should be provided within the state, if not offered by Negro colleges; that the committee had no plans nor program, but desired to know what and how the state authorities were going to carry out the mandate of the Supreme Court.

Governor Chandler answered by saying the tradition of the South as well as the Day Law prevented Negroes from entering the University of Kentucky. Dean Evans of the University law department, strongly emphasized the prejudice, unhappiness and failure awaiting the Negro students who should try to enter the University of Kentucky. W. C. Buford injected the sacrifices Negro students have made and were willing to make for equal education, if necessary in white schools.

At no time did the committee make any demands. They put the whites on the spot by placing the burden upon them to state their plans. Dean Evans presented three possible solutions:

(1) Increased appropriations to Negro students to take courses in special subjects elsewhere that are now offered in the University of Kentucky.

(2) To admit Negro students to special courses offered in the University of Kentucky.

(3) Establish regional schools for Kentucky Negro students offering professional and technical training.

After much discussion, it was finally agreed that a special committee be chosen to make a careful study of the whole field of Negro Education in Kentucky and its legal aspects.

The committee is composed of Dean David A. Lane, President R. B. Atwood, A. E. Meyzeek, J. A. Thomas, Chas. A. Anderson, W. H. Fouse, S. L. Barker, Dr. Kent, Dr. Evans and State Supt. Peters.

Chandler Advises Against Trying to Enter University

At 2 Schools

Action by colored persons seeking admission to the Universities of Missouri and Kentucky this week had caused controversy and "sensation" at the two schools, which sought to continue or indicated they would continue discrimination practices in spite of the Gaines (equal education) Supreme court ruling.

FRANKFORT, Ky., (ANP) — Governor A. B. "Happy Chandler of Kentucky speaking before a conference of colored and white educators held here, declared that Kentucky schools cannot admit colored persons who seek courses not available to them in the colored schools of the state. The governor defended his position by saying that the Kentucky state constitution prohibits colored persons from attending white schools.

"If you insist upon going to the University of Kentucky now, you are making a mistake," declared Governor Chandler, "because there are barriers which we did not make and for which we are not responsible, to prevent you from going to the university.

"I see no immediate prospects," the governor continued, "for completely equalizing opportunities for higher education at the present time."

Governor Chandler later asked the colored members of the conference how they wanted the opportunities equalized.

"The right thing to do," said Dean David Lane of the Louisville Municipal College for Negroes, would be to admit colored students to the University of Kentucky." The governor replied that he intended to appoint a committee for both sides and let it seek a solution.

Dean Alvin E. Evans of the University of Kentucky, said a suit would have to be filed to test the present law before colored students could be admitted. Dean Evans also pointed out the traditions of the south and described the uncomfortable position which a colored student would feel among a large number of white men.

In Missouri, where the Gaines case originated, a young woman seeking admission to the state university was refused enrollment.

In Kentucky, which has been furnishing out of state scholarships to colored students seeking graduate and professional courses, state authorities suddenly decided that funds provided for such purposes had been exhausted and were faced with action by a Howard University student from Kentucky, who said he would seek entrace to the state school, thereby saving his home commonwealth the "humiliation of telling the world she could not take care of her Negro students."

NEWSPAPER WOMAN TRIES

Miss Lucille Bluford, of Kansas City, Mo. caused a "sensation" last Monday when she tried to enroll in the University of Missouri. Canada, white, registrar, who said he would continue the refusal until the school has been officially notified of the Gaines decision, which ordered the institution and state, specifically, to give equal education to all citizens within its own borders.

Miss Bluford is a graduate of the University of Kansas. A former member of the Scott Newspaper Syndicate and Atlanta Daily staff of Atlanta, Ga., she is at present employed as managing editor of the Kansas City Call. She planned to do graduate work in the School of Journalism of the University of Missouri, located at Columbia.

KENTUCKY NOTIFIES

Colored students taking courses and studies not provided in Kentucky Negro colleges were notified after their first semester in other schools that the $5,000 made available for them under the Anderson-Mayor Bill was exhausted and they would get no furter aid from the state. All of the students, embarrassed at the sudden action, and many of their friends appealed to the governor and other state officials in vain.

But, Alfred Carroll, of Louisville, studying law at Howard University on a Kentucky scholarship, decided, when told of the decision, that he would solve the problem and save the great Commonwealth of Kentucky and humiliation of telling the world she could not take care of her Negro students by coming back home and studying law at the University of Kentucky.

According to reports, his proposal burst like a bombshell on Kentucky and the governor and officials changed their approach to the subject and advised that students especially Carroll, could stay where they were and not go knocking at the doors of "white schools in Kentucky." The governor turned over $1,600 to the education fund and was quoted in Louisville dailies as saying that President Atwood of Kentucky State College had told him that the such action would satisfy Carroll and stop his University of Kentucky proposal. Carroll came forward, however, and said he did not authorize Mr. Atwood to say any such thing, and Mr. Atwood said he had not communicated with Carroll.

Interviewed by Associated Press reporters in Washington, Carroll said he intended to continue to seek admission to the University of Kentucky; that he was not certain the Kentucky statute which prohibits colored and white from being taught in the same school would be in accordance with the Supreme Court ruling; and that he had not communicated with President Atwood in any way and that further statements would come through his attorney.

In his statement denying he had stated the new grant would "satisfy" Carroll, President Atwood of Kentucky State, said he told interviewers of the telephone "that Carroll's letter implied that were that fund (scholarship grant of $1,600) available to him he would probably be willing to continue his studies in the Howard University law school at Washington. Carroll's letter was such that such deduction was plainly implied.

'I want to make it clear that I have not communicated with Carroll, nor do I presume to speak for him."

Kentucky U Has Similar Race Case

Cases Cause Controversy

Entering Ky. U. By Race Is Studied

FRANKFORT, Ky., November 25—Recognition of the legal right of Negroes to take courses at the University of Kentucky not duplicated at the Kentucky State College for Negroes, instead of accepting state aid in taking these courses elsewhere, was given by the Governor's Advisory Committee on Negro Education, which met here this week.

The committee, calling attention to the United States Supreme Courts ruling in the Lloyd Gaines case from Missouri, discussed the whole subject, named a subcommittee to draw up plans for the 1940 General assembly to provide for the "actual difference" in cost to Negroes taking higher educational courses in states that admit them, and to determine how advanced courses might be provided for them in Kentucky.

A resolution instructed the subcommittee to report on what courses are available at the university the state teachers colleges and not duplicated at the Negro college here, which ones might be duplicated at "a reasonable cost", and to ascertain how many Negroes desire the higher courses. Also a subcommittee is to consider if eligible Negro students desire to enter such course in the University of Kentucky as are not duplicated and available to them in the college at Frankfort if any elect to do so instead of accepting scholarship aid to go elsewhere for these courses, and to report what legislation or court action may be desirable to clear this matter, harmonizing state laws with the United States Constitution.

Kingsport, Tenn. Times
November 25, 1939

Kentucky Negro's Privilege to Enter U of K Recognized

FRANKFORT, Ky., Nov. 25. (AP).—Recognition of the legal right of negroes to take courses at the University of Kentucky not duplicated at the Kentucky State College for Negroes, instead of accepting state aid in taking these courses elsewhere, was given by the governor's advisory committee on negro education which met here this week.

The committee, calling attention to the United States Supreme Court's ruling in the Lloyd Gaines case from Missouri, discussed the whole subject, named a subcommittee to draw up plans for the 1940 general assembly to provide for the "actual difference" in cost to negroes taking higher educational courses in states that admit them, and to determine how advanced courses might be provided them in Kentucky.

The resolution instructing the subcommittee to report on what courses are available at the university and the state teachers colleges and not duplicated at the negro college here, which ones might be duplicated at "reasonable cost," and to ascertain how many negroes desire the higher courses.

RECOGNIZES RIGHT OF NEGROES TO ATTEND U. OF KY.

Advisory Body to Study Plans; Cities Gaines Case Ruling

NEW YORK. — The recognition by the Kentucky governor's advisory committee on Negro education of the right of Negro citizens of that state to attend the University of Kentucky was regarded as a direct result of the campaign waged by the NAACP to open the doors of state universities in southern and border states to all persons without regard to color.

The Governor's Committee passed a resolution at a meeting held in Frankfort, Ky., last week which recognized the right of Negro citizens to take courses at the [illegible] at the Kentucky State College for Negroes, instead of accepting scholarship aid from the state to take such courses outside of Kentucky.

Cites Gaines Case

The committee's report called attention to the U. S. Supreme Court ruling handed down December 12, 1938 in the case of Lloyd Gaines versus the University of Missouri.

This case was carried to the United States Supreme Court by the NAACP. In upholding Gaines' right to enter the University of Missouri law school the court said:

"By the operation of the laws of Missouri, a privilege has been created for white law students which is denied to Negroes by the reason of their race. The white resident is afforded legal education within the state; the Negro resident having the same qualifications is refused it there and must go outside the state to obtain it. That is a denial of the equality of legal right to the enjoyment of the privilege which the state has set up, and does not remove the discrimination."

To Study Cost

According to an Associated Press report carried in the Louisville Courier-Journal, the committee resolution named a sub-committee to draw up plans for the 1940 Kentucky General Assembly which would include a provision to determine the "actual difference" in cost to Negroes taking higher educational courses in states that admit them, and to determine how these courses might be provided for them in Kentucky.

The committee also instructed the sub-committee to survey the courses given at the University of Kentucky and the Kentucky State Teachers College, that are not duplicated at the state college for Negroes, and to determine how many Negroes desire the higher courses.

That part of the resolution instructing the sub-committee, which refer to the legal right of Negroes in Kentucky to attend the University of Kentucky follows:

"In adition to these duties and recognizing the legal right of eligible Negro students to enter such courses in the University of Kentucky as are not duplicated and available to them in the college at Frankfort, if any elect to do so instead of accepting scholarship aid to go elsewhere for these courses, (the sub-committee) is directed to consider and report what legislation or court action may be desirable to clear this matter, harmonizing our State laws with the United States Constitution in line with the United States Supreme Court decision in the Lloyd Gaines case."

The Courier-Journal story said that President Raymond A. Kent, of the University of Louisville, was chosen chairman of the committee in place of President Frank L. McVey, of the University of Kentucky, who was not present.

President R. B. Atwood, of Kentucky State College for Negroes, was named secretary.

Dr. McVey was appointed chairman of the committee by former Governor A. B. Chandler, now in the United States Senate. He was said to be confined to his home in Lexington. Dr. McVey was quoted as having nothing to say about the report, because he had no part in preparing it, and did not attend the meeting.

Gaines Decision Is Cited

Sub-Committee To Draw Up Plans For Assembly

FRANKFORT, Ky.— The legal right of Negroes to take courses at the University of Kentucky not duplicated at the Kentucky State College for Negroes here, instead of accepting state aid in taking such courses elsewhere, has been recognized by the Governor's Advisory Committee on Negro Education.

The recognition which was announced on Saturday, November 25, was regarded as a direct result of the campaign waged by the National Association for the Advancement of Colored People to open the doors of state universities in southern and border states to all persons without regard to color.

The committee's report called attention to the U. S. Supreme Court ruling handed down December 12, 1938 in the case of Lloyd Gaines versus the University of Missouri. This case was carried to the United States supreme court by the National Association for the Advancement of Colored people. In upholding Gaines' right to enter the University of Missouri law school, the court said:

"By the operation of the laws of Missouri, a privilege has been created for white law students which is denied to Negroes by the reason of their race. The white resident is afforded legal education within the state; the Negro resident having the same qualifications is refused it there and must go outside the state to obtain it. That is a denial of the equality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tuition fees in another state does not remove the discrimination."

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Not Practicable For Race Student To Enter La. State

Request of Xavier Senior to Gain Admission to Law School 'Politely' Turned Down

NEW ORLEANS, La., Mar. 16—Hurchail Jackson, senior at Xavier University of this city, had a set-back in his ambition to become a lawyer. Jackson had written to Southern University requesting entrance into their law school. He received word from President Felton G. Clark of that school to the effect that there was no law school in Southern. Following that he wrote to the president of Louisiana State University at Baton Rouge and requested information as to qualifications for entrance. In reply to his letter to President Monroe Smith of Louisiana State University he received the following answer:

"Your letters of February 8 and February 23, applying for admission to the Louisiana State University Schol of Law, have been received. This is to advise that I do not consider it practicable for you to be admitted to the law school of this institution. Very truly yours, J. M. Smith."

Jackson is a senior in Xavier University, a graduate of McDonogh 35 High school. He stated that he felt that as a citizen he had as much right to enter Louisiana State University as any other citizen of Louisiana. He did not state what further steps he would take to further his legal ambitions.

ORDER ON RENTAL TO NEGROES ISSUED

NEW ORLEANS, May 3—(AP)—Judge Hugh C. Cage issued an order in Civil District Court Wednesday directing the Municipal Auditorium Commission to show cause May 17 why it should not rent the auditorium to Negro organizations.

The petition stated that application was filed by the Rev. R. W. Coleman. Each of the nine commission members was requested to appear.

The petition stated the application was made last October to Chairman Michel Provosty to rent the auditorium to present a concert by "high class Negro artists," and the request was refused. Coleman charged through his attorney that the refusal was a violation of the fourteenth amendment to the Federal Constitution.

Decision Denies Negroes Use of Municipal Hall

NEW ORLEANS, La.—A decision of Civil District Judge Hugh C. Cage here denied Negroes the use of the city's municipal auditorium. Dismissing a mandamus action against the auditorium commission by the Rev. R. W. Coleman, the jurist ruled that the commission could decide to whom and for what purposes the building should be leased. The decision ended a long, embittered fight against the discriminatory policy of the Commission.

Nashville, Tenn. Tennessean
June 1, 1939

NEGRO ARTISTS

Group Denied Use of New Orleans Auditorium by Court

NEW ORLEANS, May 31—(AP)—A decision in civil district court today denied a group of Negroes use of municipal auditorium for presentation of Negro artists.

Judge Hugh C. Cage dismissed a suit brought by the Rev. R. W. Coleman, seeking use of the building for Negroes, on the ground that the auditorium commission was empowered by city ordinance to decide to whom and for what purpose the building should be leased.

Cleveland, Tenn. Banner
June 1, 1939

Negroes Denied Use Of New Orleans Auditorium

NEW ORLEANS, June 1.—(U.P.)—Negroes today were denied the use of Municipal auditorium, the swanky scene of costly Mardi Gras balls and grand opera.

Civil Judge Hugh C. Cage ruled that an ordinance gave the auditorium commission the right to rent the building to whom it pleased. Augustus W. Merritt, attorney for the Negro group seeking the right to use the auditorium, laid the groundwork for an appeal, possibly to the U. S. Supreme Court, on grounds of constitutional violation.

Merritt cited a Kansas Supreme Court decision in his argument which gave Negroes the right to use a municipal swimming pool.

NEW ORLEANS JUDGE OKAYS JIM-CROWISM

Says Barring Of Artist Is Within Law; May Continue Fight

6-10-39

NEW ORLEANS, La., June 9—The city of New Orleans joined the Daughters of the American Revolution Thursday when Judge Hugh C. Cage, in the civil district court, handed down a decision denying members of the Race the use of Municipal Auditorium.

In dismissing the suit filed by Rev. R. W. Coleman several weeks ago, Judge Cage ruled that the Auditorium Commission was empowered by an ordinance to decide to whom and for what purpose the building should be used.

New Orleans Race citizens are deeply stirred by the decision and plans are underway for continuing the fight.

Violate 14th Amendment

Rev. Coleman's attorney, Augustus W. Merritt, argued that in denying members of the Race the use of the publicly owned Municipal auditorium the fourteenth amendment was violated.

It was also brought out in the suit that the bonds issued for the construction of the auditorium stated that the building was a public enterprise.

The trouble started last November when Rev. Coleman, pastor of First African Baptist church, sought to rent the auditorium for a recital and was denied its use.

After an investigation, Rev. Coleman discovered that no Race groups had been able to use the auditorium although the commission had no policy in regard to the use of the building. It was revealed that the National Baptist Convention had also been denied its use.

A Back Number

For a number of years New Orleans has enjoyed the reputation of being one of the most liberal cities in the south, now it finds itself trailing such cities as Houston, Texas; Atlanta, Ga.; Hot Springs, Ark.; Memphis, Tenn.; Birmingham, Ala.; and Jackson, Miss.

Can't Do Graduate Work at Hopkins

BALTIMORE. — Edward S. Lewis, executive secretary of the Baltimore Urban League, was refused by officials at Johns Hopkins University, last week, to pursue graduate work in economics leading to his doctorate.

Mr. Lewis made application in April 1938 and in June 1939, and was advised to withdraw his application for another year. When he refused university officials sent work that his application had been turned down.

Johns Hopkins Rejects Urban League Sec'y.

BALTIMORE, Md., Nov. 22.— Although he was specifically told that his race was not the cause, Edward S. Lewis, executive secretary of the Urban League here, was recently denied admission to Johns Hopkins university for graduate study. He had made efforts to gain admission over a period of 18 months. He received notice of rejection from the secretary of the Academic Council of the univesity. Johns Hopkins is a private school

The— OBSERVATION —POST

—By—
DAVID WARD HOWE

JOHNS HOPKINS U. MAY OPEN ITS DOORS TO RACE STUDENTS

JOHNS HOPKINS university of Baltimore has won renown as one of the greatest centers of medical education in the United States. Johns Hopkins university does not admit members of the race as students.

Thus in Johns Hopkins university we have an example of a reputedly great institution of learning, making valuable contributions to the development of science, without applying scientific principles in formulating an unbiased procedure for the admission of students.

Fortunately, however, recent reports indicate that the school of medicine has embarked upon a course which if followed to its logical conclusion should bring to an end the present policy of exclusion based on race. The course is that of socialized medicine, having as an ultimate goal the provision of the best medical care to every person—be he rich or poor.

APTITUDE SHOULD BE SOLE BASIS FOR ADMISSION

It seems logical to assume that the best possible medical care—would be that medical care provided by the most competent physicians. The most competent physiciacians would assumedly result from the best possible training provided for the most apt students. Since, according to this line of approach, aptitude for the profession should be the criterion for selection of the students some of our young people would qualify for admission.

According to reports at hand some progress in this direction should appear as a by-product of the work of Dr. Henry Ernest Sigerist, head of the history of medicine institute at Johns Hopkins.

An eminent man of science and perhaps the greatest medical historian, Dr. Sigerist has given considerable attention to the problem of socialized medicine. He now proposes to carry on an extensive program in this field at the university.

As a part of their training his students will be assigned to study health conditions and medical needs in the state of Maryland. Having in mind economic, income and occupational differences the studies will be conducted with a view toward devising health programs under which every resident would receive the best possible medical care.

MEDICAL HEAD EMPHASIZES SCIENTIFIC APPROACH

Quite logically, Dr. Sigerist expects through this method to train an ever increasing number of experts, who having approached the problem in a scientific, unbiased manner, will as regards socialized medicine, know whereof they speak.

Maryland, the state in which these studies will be conducted has a considerable Race population. In fact, the 1930 census reports 276,379 colored persons, approximately 17 per cent of the total population. With this proportion of our group in the population it will be impossible for the scientists to carry their work very far without including in their analysis some problems of the Race.

It is at this point that the greatest ray of hope appears, rising with the sun of socialized medicine, for this program if it is to provide medical care on an equitable and scientific basis must include members of the race. The young men of science as they analyze the medical needs of the communities cannot ignore the facts—at least and still be worthy of the name scientists—and the facts of the Race as persons in need of medical care and as physicians administering medical care must be included in their findings.

SCIENTIFIC APPROACH PRECLUDES BIAS

It would seem then that the scientists as they consider the facts and build them into an objective program of socialized medicine cannot escape two very definite conclusions. They cannot as scientists fail to conclude that persons of all races must be provided with the best possible medical care. Nor can they fail to conclude that the best possible medical care can only be provided when the persons administering this care are permitted the best possible medical training. Surely the scientists will recommend that this training be offered—irrespective of race—from the foremost institution in Maryland — Johns Hopkins university.

Librarian Apologizes

BALTIMORE

Public opinion in Baltimore was blamed by Dr. Joseph L. Wheeler, librarian of the Enoch Pratt Library, and the heads of two stores, for jim crow arrangements this week.

Following an apology to Lawrence Draper for the action of an attendant in denying him admission to the Edgar Allen Poe room last week, Dr. Wheeler expressed regret over the occurrence.

No Color Bar

Dr. Wheeler stated that there was no color bar at any of the library service rooms and that attendants were instructed to treat all patrons with courtesy.

He admitted, however, that there was a separation of the white and colored races in rest rooms, due, he said, to local public sentiment in the matter.

Asked whether separate rest rooms were contrary to the policy of the library, Dr. Wheeler added: Dr. Wheeler added:

"We do maintain separate rest rooms for white and colored women, and there are separate spaces in the men's lavatory for white and colored men, but that policy has been followed since the opening of the library."

Asked the reason for this, he said:

"The sentiment of the majority must be considered. Greater sensitiveness attaches itself to the use of rest rooms than to the use of reading rooms."

Ban at May Company

When William H. Moss responded to a circular distributed to his home advertising a basement shoe sale at the May Company last week, he was refused service, he wrote the AFRO.

Inquiry at the store brought a reply from Edwin H. Pierce, superintendent, that the advertising matter must have been placed in the Moss home by mistake.

Mr. Pierce admitted that the policy of the store was not to cater to colored patrons.

Welcome at Sears

Although Sears, Roebuck and Company has separate rest rooms for white and colored patrons, the policy of the store is to serve all patrons in the various departments.

Some time ago there were complaints as to refusal of sales people to allow colored patrons to try on dresses.

told that such discrimination was not in keeping with the general policy of the library.

AFRO reporters who later investigated were also denied admittance to the room by Mrs. Biggs, who told them that the room was a sort of shrine which had been made possible by private endowment and which was reserved for the use of the Poe Society.

When asked what colored people were expected to do when they wished to read any of the works or biographies of Poe, Mrs. Biggs replied that a wider selection could be found in the literature department.

"Our colored friends are welcome to any public room in the library save this little corner which is set aside for members of the Poe Society and lovers of Poe," she said.

When questioned on the matter, Dr. Wheeler stated that the Poe Room and every other room in the building was open to the public irrespective of color or creed. He said also that discrimination of any sort was contrary to the policy of the institution.

According to Dr. Wheeler, Tuesday's incident was the first of its sort in the history of the library, and steps will be taken to prevent a recurrence. An apology will be made to Draper, he said.

Pratt Library Head Denies Discrimination

BALTIMORE

Reports of jim crowism in the reading rooms of the Pratt Library, arising from the barring of a Douglass Evening High School student from the Edgar Allen Poe room, Tuesday, were denied by Dr. Joseph L. Wheeler, head librarian, this week.

The student, Lawrence Draper, 1133 Division Street, told AFRO reporters that he had been denied admittance to the Poe room by its custodian, Mrs. Alice Biggs, who had told him that colored people were not permitted to use the room.

Against Library's Policy

Draper said that after leaving the room he had gone to the information desk where he was

PREJUDICE DID THIS



Charlie Thomas, star halfback of the Boston University football team, as he appeared while watching the team's equipment at City Stadium in Baltimore Friday while teammates paraded around the city. Thomas was relegated to the role of assistant manager for the game because Western Maryland University refused to play against colored players.

J. C. Benches Boston Univ. Gridiron Star

Western Maryland Officials Raise Color Objection

(Reprinted from last week's Late Edition)

BALTIMORE — James Crow knocked the Boston University backfield for a row of nine pins when objections by Western Maryland to the color of Charlie Thomas, the Terriors' backfield star, benched him here during the Friday night affray.

Preliminary to Charlie's benching, the management of the snooty Lord Baltimore Hotel objected to his being quartered with the Boston team in the exclusive Oak Room. The management lost, but not Western Maryland.

AGREEMENT REPORTED

The Free State school is reported to have raised the color question in regard to Thomas several weeks ago and negotiated a verbal agreement with Boston University officials that their star would be put on the sidelines for the game.

Dr. J. W. Harmon, Terriors' Athletic director, declined to affirm reports that the benching of Thomas had been requested by Western Maryland. However, he asserted that attempts had been made to avoid such embarrassment but that the attitude of the South couldn't be changed in a short time.

Thomas, who acted as assistant manager and spotted during his team's appearance here, referred to his being sidelined as a "dirty deal." He is 21, and a freshman at Boston University.

Murray Case Is Recalled By Writer

Brought Attention To Educational Inequalities

FINAL INSTALLMENT

By FLETCHER M. MORTON

Princess Anne College, Princess Anne, Md.

The lack of facilities for higher education for the Negro population of the State of Maryland was brought definitely to the attention of the people of the state by the case of Donald Murray, who took legal action to establish his right to enter the law school of the University of Maryland. Because of the decision of the court, which was in favor of the plantiff, he entered the law school and was graduated in 1938.

The Murray case merely served to focus attention upon a fact which had been well known before, that is: that Negroes had heretofore been barred from state institutions that offered opportunities for higher education. The fact that the exclusion of the Negro from state supported institutions that offered training in higher education and professional fields, was no excuse why Bowie Normal and Princess Anne College should in any way be offered to Negroes as a medium for meeting the requirements for higher educational opportunities comparable to those of the state teachers colleges and the University of Maryland for whites.

Princess Anne College was at that time, interested mainly in the industrial field. It became evident that the state was doing virtually nothing for its Negro citizens in the areas of liberal arts education.

GRANTS IN AID

In view of the fact that Morgan College afforded an avenue through which Negroes of the state could partially satisfy their desire for liberal arts and pre-professional courses, the state gave grants in aid as subsidy in partial recognition of its obligation to Negro youths to provide some facilities for higher education. By 1936 this appropriation had reached the sum of $60,000 a year.

The importance of the question of the Murray case, and the resultant realization by both races that the state had been very remiss in the treatment of its colored citizens, led to official action of the 1935 legislature, in the form of a Commission on Higher Education to study the whole question and report to the legislature of 1937.

This commission consisted of members from both races, with Judge Morris A. Soper as its chairman. The commission was under the direction of an expert in education, and its report and findings were submitted two years later.

The report of the commission when submitted to the legislature of 1937, contained sufficient data to justify the claim that there is a pressing need for improvement of facilities for higher education of Negroes of this commonwealth. It was pointed out that the state was far in areas of reasonable and justifiable provisions for the colored people of the state, and that the facilities for this group of citizens, when compared with other states was shamefully in arrears.

FOUR RECOMMENDATIONS

The commission made four very strongly worded recommendations. One of the strong points of their recommendation was that a state college for Negroes be established around Morgan College with a biracial board of regents of the University of Maryland. They also recommended that the legislature appropriate $55,000 for each fiscal year 1937-1938 for Negro scholarships and the administration thereof.

No direct action was taken on the recommendation except a new commission on scholarships for Negroes was appointed and the sum of $30,000 for each of the fiscal years 1937-1938 was appropriated for scholarships and administration.

This new commission was charged with the specific duties of administering scholarships to students studying outside the state, consider the possibility of Morgan College becoming a state-owned college for Negro higher education, and to confer with the board of trustees of Morgan that it may be able to report its findings so as to recommend the most desirable way to integrate Morgan College with the state system of higher education for Negroes.

To the commission we must ever be thankful for all or most of the new developments in Negro education in the state. The commission, together with other loyal citizens of the state, have been champions in the great cause of the future of all Maryland Negroes. Permit me here to mention particularly the secretary of the commission, Edward N. Wilson and Dr. Dwight O. W. Holmes, whose efforts have been untiring in this great fight for a better day in education for Negroes.

Bostonians Wage Jim Crow Fight In State Senate

BOSTON—(ANP)—Representing various Massachusetts' organizations, ranging in size from a few dozen members to the Urban league, NAACP, Workers Alliance and others, 60 speakers appeared Tuesday at the State house to urge passage of House bill 638—a measure aimed to end discrimination in the public utilities.

Among those addressing the sessions were Matthew Bullock, former member State parole board; Lt. Lawrence Oxley, U. S. Department of Labor; Julian D. Steele, head of the Armstrong Hemenway foundation; Mrs. Gladys Howard, Women's Progressive club; Mrs. Gertrude Cromwell, Women's League for Community Service; Martin D. Richardson, New England Conference of Colored Youth, and many others.

New Orleans Youth First Negro to Live In Harvard Dorm

CAMBRIDGE, Mass.—(ANP)—History was made on the campus of Harvard university this week when a colored student, Lucien V. Alexis, Jr., of New Orleans, was admitted to Adams house, one of the seven upperclass residential houses at Harvard, for lodging and board for the next academic year. Young Alexis is the first of his race to be accepted for residence there since establishment of the Harvard house plan nine years ago.

Student Alexis, 17 years old, is the only colored member of the current freshman class of 1,030. His father, principal of the McDough high school, New Orleans, made history before him by graduating with honors from Harvard in the class of 1818, and completing the requirements for a bachelor's degree in three years. Both father and son prepared for Harvard at Phillips Exeter academy, Exeter, N. H.

Young Alexis, it is said, will major in biology, as he wants to be a physician, and will prepare for admission to Harvard Medical school. Alexis says there are five Negroes in Harvard's undergraduate body of 3,684 students—himself, one sophomore, three juniors.

Adams house, where the youth has been quartered, has long been noted among the seven residentia houses for its liberality and tolerance. The master of Adams house is Dr. David M. Little, secretary to the university, and as such, a member of Harvard's administrative staff. A faculty associate is Dr. Arthur M. Schlesinger, professor of history and a member of the executive council, the Association for the Study of Negro Life and History, headed by Carter G. Woodson.

Granville Hicks, noted Communist writer and one of the first counselors in American history at Harvard, has been attached to Adams house. Occupying a position of prominence in the house is a portrait of famed John Reed, Harvard graduate (1910) who became a Communist and died in Russia.

DORMITORY BAN ENDED AT HARVARD

Race Youth, Son of New Orleans School Principal, Assigned Quarters in Adams House, Most Exclusive of Upperclass Houses

ALEXIS HAS NEVER HAD 'GIRL FRIEND'

By ROBERT EDWARDS
Special to The Courier

CAMBRIDGE, Mass., May 25—A new epoch in freedom of education and academic liberalism has been signalled by Harvard University authorities, with the announcement that for the first time in its history, a Negro student will be admitted to one of its seven upper-class residential houses for room and board.

The student is Lucien Victor Alexis, Jr., of New Orleans, only Negro in the current Harvard freshman class of 1,030 scholars.

ADAMS HOUSE MOST EXCLUSIVE ON CAMPUS

Adams House, where Alexis has been assigned quarters in C-24 for the next academic year, is noted on the Harvard campus, both for the fact that it is the most exclusive of all the upperclass houses, with only the sons of the socially and financially elite being assigned there, and also for its liberality.

Granville Hicks, self avowed Communist teacher and writer, has been attached there. Hicks, who was one of the first counsellors in American history at Harvard was dismissed by the Harvard faculty recently.

The master of Adams House is Dr. David M. Little, secretary to the university and as such a member of Harvard's administrative staff. One of the faculty associates there is Dr. Arthur M. Schlesinger, professor of history and a member of the Executive Council for the Association for the Study of Negro Life and History.

Alexis was born in New Orleans on July 23, 1921. His father is principal of the McDonough High School in New Orleans. He attended the colored kindergarten schools in the Southern metropolis and later the high school of which his father is principal. Alexis's father was graduated with honors from Harvard in the class of 1918, completing the requirements for the bachelor's degree in three years. Both father and son prepared for Harvard at the exclusive Phillips Exeter Academy, Exeter, New Hampshire. After resigning from the United States Army with the rank of first lieutenant, the elder Mr. Alexis has devoted his time to the field of Negro education ever since. Lucien is the only child in the family.

EXCELLED IN FENCING; ALSO PLAYED FOOTBALL

At Phillips Exeter, young Lucien has excelled in fencing and also played football. Both in prep school and in college, he has been one of the most popular fellows and thus he says is the reason why "I am just an average scholar."

During the current year, Lucien has been living in Weld Hall and has made both the freshmen lacrosse and fencing teams. His hobby is making gas model airplanes and his chief amusements are the movies and reading.

He will major in biology next year and is preparing himself for the medical profession. He hopes to receive his professional training at the Harvard Medical School.

HAS NEVER HAD A 'DATE' WITH A GIRL

Although very popular with his fellow students, who have nicknamed him Aleck, Lucien is otherwise shy. He seldom goes out and says, "I have never had a date with a girl in my life and I don't care to. But otherwise things here in Cambridge are very pleasant. Many people have asked me about discrimination but I have never **seen any evidences of racial discrimination here."**

Besides himself, the Harvard undergraduate body of 3684 has four other Negroes. One sophomore and three juniors.

Although Adams House is most sought after living quarters on the campus—it only accommodates 250 students—it is Alexis's second choice. On his house application he asked to be assigned in Winthrop Houe. He wasn't quite certain, how authorities would react to his application at all, but just in case, he made the application. He explained his preference for Winthrop House because many of the faculty members associated with Winthrop House are in science, a situation which he thought would have been particularly helpful in preparing him for the Harvard Medical School. However, he thinks that because a number of his classmates and other friends, many of whom were in the same prep school class with him, were sent to the ritzy Adams House, he was also assigned there.

WILL GET 'BIDS' TO SWANK HOUSE PARTIES

As a member of Adams House next year, Alexis will probably be invited to attend the fashionable house parties for which Harvard students are famous throughout the country.

But he will have to bring a girl to the dance—he learned how to dance at prep school—his classmates are wondering if he will still stick to his boast that he will never care to go out with a girl.

"Don't get me wrong," he cautioned in parting, "I am not a woman hater but I have so many things to keep me busy up here."

DISCRIMINATION- 1939

Jim Crow In Michigan College Laid To Betraval Bv Uncle Tom

DETROIT, (A N P)—Defending segregation as practiced in the dining hall of Emanuel Missionary college, Berrien Springs, H. J. Klooster, president of that well-known denominational school, last week disclosed the origin of his policy, involving T. H. Allison, Chicago clergyman, pastor of the Shiloh Tabernacle and J. L. Moran, president of Oakwood Junior college, Huntsville, Ala., (a junior college for Negro students operated by the Adventist church) with himself in a "sell-out" deal to systematically segregate colored students in the Michigan college and later restrict their attendance at all Seventh-day Adventist senior colleges.

Negro constituents had protested against recently adopted policies which assign to young Negro men a jim-crow row in the daily dormitory worship and to all colored students jim-crow tables in the only dining hall operated by the college. They pointed to the fact that some Northern schools of this denomination had established a liberal tradition in such matters, and that the denomination had, like the Quakers, been on the side of abolition and equal rights in the past.

College authorities, however, resolutely re-affirmed the new policy and threatened to bar Negro students from the school entirely if protests continue. In answering one questioning constituent, President Klooster wrote, "It is true that separate tables are provided for the colored students in our dining room." Later he added, "May I point out to you that the continued agitation on the part of this group (the Negro students) can result only in closing the door of opportunity to them."

In the same letter, the educator revealed plans that had already been made to limit the future enrollment of Negro students at Emanuel Missionary college, as well as at other schools of the same denomination in the North, to upper division classes.

"I wish, however, to make clear," he said, "that the initiative in making this plan was made by President Moran." This, he indicates, had the secondary purpose of aiding the small rural Jr. college near Huntsville, of which the Negro who made the proposal is president.

The Negro's approval of the jim-crow policies, from President Klooster's lengthy statement, seemed to follow assurances that lower division applicants at the affected senior colleges would be advised to attend the Oakwood school for their first two years.

"President Moran," according to the college's statement, "requested that the lower division Negro students applying to our colleges should be directed to Oakwood Junior college rather than to be accepted in our four-year institution."

Commenting on the Klooster statement, Rev. T. H. Allison said, 'I have read it with a great deal of pleasure. When Prof. Klooster began his presidency at E. M. C., we talked matters over together. He promised to give the Negro youth 'legal equality.' It seems to be characteristic of the 'New Negro' to talk much and do little."

Rev. Allison is in charge of Negro churches in the Adventist denomination in Michigan, Illinois, Indiana and Wisconsin. Chagrined Michigan Adventists describe their dilemma as "another importation of Uncle Tom-ism." Resentment is particularly deep among the young. General Conference officials oppose segregation as a policy in their world-wide program.

JIM-CROW AT WHITE SCHOOL IS DEFENDED

DETROIT, Jan. (ANP) — Defending segregation as practiced in the dining hall of Emanuel Missionary college, Berrien Springs, H. J. Klooster, president of that well-known denominational school, last week disclosed the origin of his policy, involving T. H. Allison, Chicago clergyman, pastor of the Shiloh Tabernacle and J. L. Moran, president of Oakwood Junior college, Huntsville, Ala., (a junior college for Negro students operated by the Adventist church) with himself in a "sell-out" deal to systematically segregate colored students in the Michigan college and later restrict their attendance at all Seventh-day Adventist senior colleges.

Negro constituents had protested against recently adopted policies which assign to young Negro men a jim-crow row in the daily dormitory worship and to all colored students jim-crow tables in the only dining hall operated by the college. They pointed to the fact that some Northern schools of this denomination had established a liberal tradition in such matters, and that the denomination had, like the Quakers, been on the side of abolition and equal rights in the past.

College authorities, however, resolutely re-affirmed the new policy and threatened to bar Negro students from the school entirely if protests continue. In answering one questioning constituent, President Klooster wrote, "It is true that separate tables are provided for the colored students in our dining room." Later he added, "May I point out to you that the continued agitation on the part of this group (the Negro students) can result only in closing the door of opportunity to them."

In the same letter, the educator revealed plans that had already been made to limit the future enrollment of Negro students at Emanuel Missionary college, as well as at other schools of the same denomination in the North, to upper division classes.

"I wish, however, to make clear," he said, "that the initiative in making this plan was made by President Moran." This, he indicates, had the secondary purpose of aiding the small rural Junior college near Huntsville, of which the Negro who made the proposal is president.

The Negro's approval of the jim-crow policies, from President Klooster's lengthy statement, seemed to follow assurances that lower division applicants at the affected senior colleges would be advised to attend the Oakwood school for their first two years.

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'EMBARRASSED' BROTHERS SUE FOR $15,000

'Greatly Mortified' They Say When Asked To Use Jim Crow Gate

DETROIT, June 9—Charging that they were "greatly mortified, embarrassed" and "held up to public scorn" because of the discriminatory action of two employes, Attorney Richmond M. Golightly and his brother, Cornelius L. Golightly, filed suit May 25 in Wayne county circuit court asking $15,000 damages each of the Eastern Michigan Motorbusses, Inc.

Named in the bill of complaint filed by Attorney Golightly, are Gus Schallos and Edward Sullivan, both white. Schallos is a starter at the Bus Terminal in Detroit, and Sullivan a ticket taker.

According to the bill, the two plaintiffs were on their way to Flint, Mich., to attend a funeral of a relative, when the alleged discrimination occurred. The date is set as May 20.

The bill sets forth that while in line with other passengers waiting to board the bus going to Flint, Attorney Golightly and his brother, a graduate student at the University of Michigan working on his master's degree, were ordered out of the line and told by Schallos to enter another gate.

Golightly states that he protested, pointing out that all other passengers had entered that gate, and therefore he could see no reason for him and his brother using another gate. But Schallos was adamant in his orders, and when Golightly ignored that order, Schallos told Sullivan not to accept the tickets.

However, this did not prevent the two men from entering the bus, and continuing their trip to Flint, although they charge that they were ridiculed and embarrassed in the presence of the large number of white passengers who were boarding the bus at the time.

The driver of the bus, on arriving in Flint, attempted to get the two tickets of the men, but they refused to surrender them, stating that they would use them as evidence in the suit.

BATTLE TO DEFEAT 'WHITES ONLY' BILL LOSES IN MINNESOTA

ST. PAUL, Minn., April 27.—Despite a fight which began early in the session of the legislature and lasted until that body closed at midnight on Tuesday, citizens of Minnesota were unable to secure the passage of a law to end discrimination against Negroes by companies selling automobile liability insurance.

Although the effort began when the St. Paul Urban League secured a bill from J. A. C. Burnquist, attorney general and former president of the local N.A.A.C.P., organizations and leaders from Minneapolis and St. Paul joined in the fight when the measure was introduced in the Senate and the House.

BILL PASSES SENATE BUT STRIKES A SNAG

After passing the Senate by a vote of 44 to 5, the bill struck a snag in the House when Carl Erickson, white, chairman of the insurance committee, refused to report it out.

Mr. Erickson's first move to hold up the bill was the appointing of a sub-committee to give it "further study," after hearing testimony on it.

The sub-committee refused to call a meeting on it. P. B. Peterson, white, chairman of the sub-committee, first told persons interested in the bill that his fellow members did not have time for a meeting. Citizens then contacted the members and learned that Mr. Peterson had never asked them to be present at a meeting. On being told this, Mr. Peterson had nothing to say, but still did not call a meeting.

FIND LLOYD GAINES!

Courier 10-21-39

Anyone knowing the whereabouts of Lloyd Gaines is asked to get in touch, by wire collect or letter IMMEDIATELY to Attorney Sidney Redmond, Peoples Finance Bldg., 314 N. Jefferson street, St. Louis, Mo., or The Pittsburgh Courier, 2628 Centre avenue, Pittsburgh, Pa.; or the N.A.A.C.P., 69 Fifth avenue, New York City, N. Y.

Supreme Court, which was supposed to have doomed the South's "two-way" educational system has disappeared.

He has been missing since spring, both his mother and Attorney Sydney Redmond, co-counsel with Charles Houston, admitted last week in a special interview with The Pittsburgh Courier.

Counsel for Gaines are anxious to find him so that he can make an important deposition preliminary to final disposition of the University of Missouri Law School case.

TO DETERMINE ADEQUACY OF LINCOLN LAW SCHOOL

It was held by the U. S. Supreme Court in the test action brought by Gaines that, in the absence of other and proper provision for his legal training, he was entitled to admission to the University. In accordance with that decision, the case was later remanded to the Circuit Court of Boone County for determination as to whether or not provision since made by the State for the training of Negro lawyers, is adequate.

The question will hinge around the new Lincoln University Law School for Negroes, located here. The Circuit Court will have to decide if it is as good as the University of Missouri's law school.

The question hinging around Gaines' disappearance is whether such a decision can be handed down without his appearance, either in person or through written depositions.

MAY DISMISS CASE IF GAINES ISN'T FOUND

Representing the state, Former Missouri Supreme Court Justice Fred Williams, evoked the information that the case due to be heard soon, might be dismissed if Gaines could not be located.

Lawyers for Gaines are of the opinion it is not necessary for him to be present, but believe that if he can be informed his presence is required, he will appear. However, there are unfounded rumors that Gaines might have been paid off not to appear until after the court hearings have been concluded.

EDUCATION FIGHT HITS ALL SECTIONS

Immediately following the arrival of Attorney Charles Houston here last Monday, action came fast. Monday night, Mr. Houston tossed a bombshell by stating that every Negro parent in St. Louis should insist that his or her child receive the same educational advantages as white children were given.

He insisted the ruling of the U. S. Supreme Court in the Gaines case meant that every Missouri citizen was entitled to an equal education, regardless of race, and intimated strongly that Negro children were being denied special elementary courses offered in some of the white schools.

Tuesday, depositions were taken at the "Poro" Law School of Lincoln University. The salary scale of professors, ranging from $2256 to $5,000 was also said to be below that at Missouri University.

FILE CASE IN BEHALF OF LUCILLE BLUFORD

Thursday, Attorneys Houston and Redmond, accompanied by Attorney John A. Davis, went to Columbia, where after vain attempts to locate Registrar S. W. Canada and the president of Missouri University had been made, the lawyers filed a case in the circuit court of Boone County in behalf of Miss Bluford, who also accompanied them.

The petition charges that in January, 1939, Miss Bluford applied for admittance to the school's Graduate School of Journalism. Her college record was accepted and she was notified her record was sufficient to admit her. When she appeared on the campus, she was denied permission to register.

Later Miss Bluford sent another application, but when she appeared to pay her fees and start to school admittance was again denied, solely on the basis of race and color.

The records of the Lincoln University Board of Curators were also examined.

Miss Bluford's suit, to be filed in Kansas City, was slated for Federal Court. It charges that she is due damages because of losses suffered when she was deprived of her constitutional rights.

U of Mo. Is Sued

Also Lincoln

10-21-39

COLUMBIA, Mo. — A mandamus suit against the University of Missouri was filed here on Friday, October 13, by NAACP attorneys on behalf of Miss Lucille Bluford, managing editor of the Kansas City Call in Kansas City.

Baltimore

Twice denied admittance to the university's school of journalism for graduate study, solely because of her color, Miss Bluford is asking the Boone County circuit court to issue a writ of mandamus requiring S. W. Canada, registrar of the University of Missouri, to admit her.

Second Mandamus

This is the second mandamus action taken by the NAACP against the University of Missouri, the first suit filed by Lloyd L. Gaines in 1935, ending with the momentous decision by the United States Supreme Court last December granting Gaines the right to enter the University of Missouri Law School.

The Bluford suit was filed by Charles H. Houston of Washington, chief NAACP counsel in the Gaines case, who came to Missouri for that purpose; and Sidney R. Remond, president of the National Bar Association; Henry D. Espy and John A. Davis, all of St. Louis. Redmond and Espy were co-counsels with Houston in the Gaines case.

Registrar Sued

A second suit for Miss Bluford was to be filed on Monday, October 16, in the Federal court in Kansas City — a civil rights suit asking damages against Registrar Canada. In this suit, Mr. Houston was assisted by Carl R. Johnson, chairman of the legal redress committee of the Kansas City NAACP Branch; Charles H. Calloway, L. Amasa Knox and James H. Herbert, all of Kansas City.

Miss Bluford met Mr. Houston and the St. Louis attorneys who were accompanied by Mrs. Redmond, in Columbia last Friday. After going to the University of Missouri once again to ask admittance of Miss Bluford to the school of journalism, the group went to the office of the clerk of the court of Boone County where the petition for writ of mandamus was filed and given No. 35754 by F. G. Caldwell deputy clerk.

Is State Taxpayer

In the petition, Miss Bluford alleges that she is a resident and taxpayer of Missouri and desires to pursue graduate work in the University of Missouri in the field of journalism for the purpose of becoming more proficient in her chosen profession and of increasing value of her services to the Kansas City Call and to the people of Missouri.

The petition recites how Miss Bluford applied for admittance in January, 1939, how her transcript from the University of Kansas was accepted by Mr. Canada who told her by letter to come to Columbia on the regular enrollment day and register for classes, and how the dean of the school of journalism checked her transcript and found it sufficient for her to begin work on her M.A. degree in journalism. Miss Bluford received the A.B. degree in journalism from the University of Kansas in 1932.

Denied Entrance

Appearing on the campus to enroll, however, Miss Bluford was denied admittance by Mr. Canada who said that the Gaines case had not been definitely settled. Applying again last August for admission at the beginning of the 1939-40 academic year, Miss Bluford again was barred. This time, Mr. Canada referred her to Lincoln University, Jefferson City, where, he said, the responsibility rested for providing her with graduate study in journalism.

Judge W. M. Dinwiddie, who denied the writ to Lloyd L. Gaines, and whose decision was sustained by the Missouri supreme court and overruled by the United States Supreme Court, set October 24 as the date when the first hearing will be held.

Attempt To Abolish Jim-Crow Policy At St. Louis Ball Park

Elimination of Segregation Sought by Mound City Elks As They Prepare to Play Host to National Convention in 1940.

ST. LOUIS, Nov. 2.—Steps have been taken by Attorneys John A. Davis and Sidney R. Redmond, chairman and co-chairman respectively of the Civil Liberties Committee of Greater St. Louis Lodge No. 1012. I.B.P.O.E.W.. which it is hoped will start the ball rolling towards the elimination of jim crow tactics at Sportsman's Park, owned by the St. Louis Browns of the American League and shared with them jointly by the National League's St. Louis Cardinals, for home games.

An early audience has been requested with Donald L. Barnes of the St. Louis Browns Baseball club in a letter mailed to the American League's representative here, Friday, October 27.

"We, who live in St. Louis, Mo., were deeply chagrined and humiliated last summer in New York City," the letter stated, "while campaigning to bring the 1940 Elks' convention to St. Louis. This is the largest Negro fraternal organization in the world. Its annual parade is possibly the most spectacular in the country, and the longest, excepting that of the American Legion. It has never met in St. Louis because of its policy of hotels and picture shows which will not admit the members of the Negro race.

"For several years we have been endeavoring to get this convention to come to St. Louis, and with the help of the St. Louis Convention Bureau, the St. Louis Hotel Men's association, and the theatre owners, were successful in landing the convention at its last conclave in New York City. One of the most bitter accusations that we had to defend was the policy of the Sportsman's Park owners in barring us entrance into the grandstand.

"The Negroes of the country have always been sports-minded; they are particularly fond of the great game of baseball and in every city in America where baseball is played, Negroes turn out in large numbers to witness the great national pastime. In every big league city, members of the Negro race are admitted to the grandstand, excepting our own city, St. Louis."

The message states that the local Elks feel and believe that the great majority of the whites of St. Louis are just as tolerant and fair-minded as are the inhabitants of other metropolitan districts. It further adds that the Elks refuse to beleive that white St. Louisans are "so mean, narrow and prejudiced that they would resent the presence of Negroes in the grandstand at Sportsman's Park." It is a known fact that Negroes attend all of the big boxing shows, football games, wrestling matches and other sporting events in St. Louis without the least trace of segregation cropping up, Negroes being able to secure seats anywhere their money is able to reach.

"We promised the Independent Benevolent, Protective Order of the Elks of the World, assembled in New York City last summer," the petition said in closing, "that the gates of Sportsman's Park would be open in St. Louis in 1940. We sincerely hope that your organization will consider changing its policy in this respect. We have been advised that, prior to the establishment of Sportsman's Park, Negroes were freely admitted to all sections of the old grandstand where the Cardinals played and that only since Sportsman's Park was erected, has the policy of discrimination been practiced. Again, we ask that you grant our committee an audience at your earliest convenience so that we might discuss an amicable disposition of our demands."

Since Sportsman's Park adopted its policy, thousands of race sports fans have refrained from attending big league games solely on account of the jim crow policy in vogue at the park and it is expected that other groups will join wholeheartedly in the effort to have this lone blot on sports in St. Louis removed. The ban is especially the more noticeable since St. Louis pioneered in mixed bouts with such successful results that no untoward incidents have been noted in the years that have gone by despite fears and predictions to the contrary.

$20,000 Suit In U. S. Court

Denial Of Admittance Is Cited in Plea

By C. E. CHAPMAN for ANP

JEFFERSON CITY, Mo.—(ANP)—Determined to bring to bear every legal influence in an effort to safeguard her right to an opportunity for equality of education "within the state" as decreed by the mandate of the United States supreme court in the Lloyd Gaines case, Miss Lucile Bluford, managing editor of The Kansas City Call, filed suit here Friday against the registrar of the University of Missouri, S. W. Canada for damages in the sum of $20,000.

The Kansas City young woman, an honor graduate of the school of journalism of the University of Kansas in the class of 1932, has twice been denied admittance to the graduate school of journalism in the University of Missouri at Columbia. Miss Bluford asks, through her counsel, that she be given the opportunity to pursue journalism at the University of Missouri and sets forth that she has been "illegally barred" from the institution by S. W. Canada who is the proper and legal official of the school whose duty it is to admit her.

REFUSED ADMITTANCE

Miss Bluford's first attempt to enter the University was made Monday, January 30 1939, she says. At that time a transcript of her undergraduate work had been forwarded to the registrar and had been accepted and a letter from Registrar Canada was sent Miss Bluford advising her to present herself at the university at the beginning of the second semester. She complied with this request after giving up her position with the Kansas City Call, having taken "a leave of absence". She presented herself for admittance, but was refused. Canada told her the Gaines case "had not been settled as yet". She was advised to wait the final outcome.

Again in September, Miss Bluford sought to enter the school and was again denied admittance which she claims was "illegal". On this occasion Miss Bluford was advised by Canada that it was the responsibility of Lincoln university here in Jefferson City to provide educational opportunities in journalism.

Having been thus advised, Miss Bluford came to Jefferson City that day and sought to enter the school of journalism at Lincoln university. President Sherman D. Scruggs informed Miss Bluford that Lincoln university had no school of journalism.

FAILED TO ANSWER WIRES

Thereupon she wired Canada that Lincoln university had no school of journalism and asked him to reconsider his refusal to admit her to Missouri university. She also wired President Middlebush of the University of Missouri of the situation at Lincoln as well as about having been refused admittance by Canada.

She asked President Middlebush to have Canada reconsider and admit her. She also wired Frank McDavid, president of the board of curators of the University of Missouri, to the same effect. Neither President Middlebush nor McDavid replied.

Canada replied by wire that same day and stated: "I have no authority to admit you." The telegram was sent from Jefferson City to Canada as were the telegrams to Middlebush and McDavid. Upon returning to Kansas City late that evening, the telegram from Canada above quoted was awaiting her.

"GREATLY HUMILIATED"

In he suit Miss Bluford asks $10,000 in each of the two counts wherein she charges she was "illegally barred' 'solely on a basis of race and color. Her petition sets forth that she has been and still is "greatly humiliated," and has suffered "mental anguish and loss of earning powers and efficiency in her newspaper work" through having been "illegally barred" and refused opportunity to exercise her constitutional right to pursue graduate work in journalism in the school of journalism in the University of Missouri.

Miss Bluford is the second Negro to challenge through the courts the long and time-honored "ancient policy" of the dual or "separate" system of education for white and Negro peoples. The suit was filed here Friday by her attorneys: Sidney R. Redmond, St. Louis; L. Amasa Knox, Charles H. Calloway, James H. Herbert, Carl R. Johnson, of Kansas City, and Charles H. Houston, chief counsel of the NAACP, Washington, D. C.

Court Decision Hailed Greatest Victory

By WILLIAM PICKENS

WHEN Chief Justice Evans Hughes and his majority of the justices gave us victory in the Gaines case of Missouri, ordering Missouri to admit Negroes to its university law school, the Supreme Court of the United States really started us educationally on our way "to town."

This is the greatest victory ever won for equal education for Negroes in tax-supported schools of America. Perhaps if we had had the NAACP 50 years ago, the Negro would never have been thrust out of state universities or left out. Negroes and carpetbaggers really founded the University of South Carolina, and Negroes were among teachers as well as students there. Then came Rutherford B. Hayes and the Ku Klux Klan and the Negroes were thrust out.

Long ago the courts sustained the principles of segregation as non-violation of the 14th amendment on the theory that separation is not inconsistent with equality. Many southern states rejoiced and went forward with their segregation laws, writing "separate but equal" and in practice forgetting what came after that "but." The most awful inequality was allowed and enforced, in all sorts of segregation, especially in public schools. The colored people just "took it" for 50 years, until the NAACP challenged the discrimination a few years ago, winning the ill-will of even many Negro educators, notably in North Carolina, when it tried to get Hocutt into the university for a course of study not provided for in the Negro state schools.

Next we took up a case in Missouri, where a colored young man wanted to study law, and all he could get from Missouri was the promise of a few dollars to go outside the state, to some more civilized place, and study. This we challenged as a violation of the essence of equality, contending that the state should provide wthin the state the same educational facilities for all its citizens, and demanding that Gaines be admitted to the university law school, since the state would not build a great law school for one Negro to attend.

The courts of Missouri turned us down, and now we can guess that Mississippi and Louisiana are cursing Missouri for turning us down, for that gave us a chance to appeal to federal courts, and finally the supreme court of the land—and a decision of the supreme court affects not only Missouri practice but the practice in every state and territory under the flag.

Maryland had used better sense, and had given us the case and admitted Murray without forcing us into federal courts.

Now, with Butler and McReynolds dissenting (as [illegible]) the court decides in effect:

1. That Negroes must be admitted to the one state school unless an equal separate school is provided. Think of it: those southern states that put law, medicine, dentistry and aviation into the "white" universities, must now do one of three things:

(a) Admit Negroes to those courses in the state universities;

(b) Put the same courses in "our colored state schools; or,

(c) Take the courses out of the "white" schools.

So there! That's victory that is victory.

What else does it mean? That universities in the border states and northern states which have been squeezing the Negro student toward the exit, will now reverse their tactics. No northern state with an ounce of sense wants the impossible burden of southern states: an effort to maintain two adequate and competent school systems.

This one victory will be worth a thousand times all the money that Negroes have put into the association in 29 years; it means that the Negro can sue for his share of the public school funds—and in some states he has been missing his full share by a million dollars or more.

And in the name of Jehovah, it puts the burden on those Negroes who want to fight the NAACP—making them look like the veriest fools.

EDUCATION OF NEGROES WILL BE TESTED BY NEW RULING

The recent Supreme Court ruling upholding a Misouri Negro's right of admission to the State University's Law School reopens the question of the educational system of the South. Possible effects of the decision are discussed in the following dispatches from Richmond and St. Louis, published in Sunday's N. Y. Times.

BY VIRGINIUS DABNEY

RICHMOND, Va., Dec.—The State-supported educational systems of the South have been severely jolted by the Supreme Court's ruling this week that a Missouri Negro must be admitted to the University of Missouri Law School, unless equal facilities are provided for him elsewhere within the State's borders. The decision is notice to all the Southern States that they must make far-reaching readjustments.

It seems reasonable to infer that discrimination against Negroes in the public schools with respect to teachers' salaries, curriculum and equipment will be pronounced unconstitutional by the Supreme Court when proceedings already begun by the National Association for the Advancement of Colored People, headed by Walter White, reach that tribunal.

Southern college and university presidents and State officials are holding hurried conferences with a view to appraising the situation. There is virtual unanimity among them, and a good many Negro leaders agree, that maintenance of separate institutions for Negroes should be the general policy, rather than admission of Negroes to graduate and professional schools heretofore attended exclusively by whites.

COST AS A FACTOR

At the same time, the possibility of organizing Negro branches of existing white institutions is not being overlooked. For example, it has been authoritatively suggested that the Medical College of Virginia at Richmond, which has a Negro hospital and a training school for Negro nurses, could readily add a medical school for Negroes.

The number of Negroes in any Southern State who desire graduate or professional instruction is so small that the maintenance of equal facilities in separate institutions for the two races would in some instances impose a severe and disproportionate burden. It might mean the operation of an elaborate and expensive establishment for the benefit of half a dozen students. Leaders in both races would like to see the setting up of a first-class centrally located university for Negroes from the whole South, financed with funds contributed by each State, but the Supreme Court's ruling apparently makes this impossible, since it requires every State to make available equal facilities for both races within its borders.

While applications for admission to various Southern State universities may be filed by Negroes next Fall, some Negro leaders are known to be anxious to avoid stirring up the inter-racial friction which would follow such action. It is understood that these leaders will seek to give the white officials, Legislatures and educators an opportunity to provide adequate facilities before forcing a showdown. Few, if any, States can by next September make the necessary adjustments required to provide separate but "equal" instruction for Negroes.

While some Southern States already make available to their Negro citizens a good grade of undergraduate training, leading to the B. A. or the B. S. degree, State-financed graduate or professional work is practically non-existent, and States which have been providing scholarships for Negroes to study at Howard University, Washington, D. C., or in Northern or Western universities are now told by the Supreme Court that this avenue is not enough.

In several of the far Southern Commonwealths, State-supported institutions of higher learning for Negroes are entirely lacking. What these States will do about the Supreme Court's decision is uncertain. There is talk that they might even refuse to do anything, and then would make it so uncomfortable for any Negro applying to one of their white institutions for admission that the practical effect of the court's ruling upon them might be virtually nil.

By LOUIS A. COSS

ST. LOUIS, Dec.—Lloyd L. Gaines, 26-year-old St. Louis Negro, won his three-year fight to be admitted to the Law School of the University of Missouri, but it is unlikely the doors of the State school will be opened to him to shatter a ninety-nine year precedent. The university will celebrate its centennial next year.

The General Assembly convenes on January 4 and it is expected to make the Gaines case a matter of first consideration, by directing the immediate establishment of a school of law at Lincoln University, a State school for Negroes opened in 1921. The applicant would attend this.

Lincoln University at Jefferson City has the rom space facilities for such a course, but the Legislature will doubtless be asked to make appropriations for faculty salaries and an adequate law library. This would mean an outlay of at least $10,000 annually for salaries, and most estimates are that $50,000 will be required for a library.

Young Gaines is a graduate of Lincoln, on which the State has spent some $3,500,000 since 1921. In the Fall of 1935 he sought by letter to enter the State University Law Department at Columbia and was accepted. When it was later discovered he was a Negro he was denied admission by the board of curators on the grounds that the constitution, laws and public policy of the State do not entitle a Negro to such a privilege, in that the State has provided educational facilities separately for whites and Negroes.

TUITION PROVIDED

To such extent, declared the curators, there was no violation of the Fourteenth Amendment, this being the first time since the school was opened in 1839 that a Negro had attempted to enroll in the university.

It was also pointed out that the State made adaquate provision for such Negroes as cared to pursue courses not offered at Lincoln University by furnishing tuition to some other school where Negroes are admitted. There is such privilege at the neighboring State schools in Iowa and Illinois and Kansas.

Gaines spurned the offer, sought a writ of mandamus in the Boone County Circuit Court, appealed to the State Supreme Court and when denied his petition there to the United States Supreme Court.

Gaines, now employed outside the State, says he is uncertain whether he will take a law course now that it is offered to him.

State Supreme Court Hands Down Decision Which Bars Negroes From Law School

Holds That Law School For Colored Students Is Being Established At Lincoln University

LAW SCHOOL DEAN CHOSEN

Court Must Determine If Facilities Of New School Are Equivalent To Those At Missouri U.

JEFFERSON CITY, Mo.—The refusal of Missouri University to admit Negro students to the law school of the university was upheld by the State Supreme Court, sitting en banc, Tuesday of last week.

The court, in so doing, held that a law school for Negroes was being established at Lincoln University, Mo., and it would first have to be determined if the facilities of the new school "are in fact substantially equivalent to those afforded at the University of Missouri" before they would order compliance with the decision of the United States Supreme Court.

The supreme court Tuesday, in an opinion prepared by Judge C. A. Leedy, Jr., sent back to the Boon County Circuit court the proceedings by which Lloyd Gaines of St. Louis sought entrance to Missouri U. This is the original jurisdiction of the famous case. Boon county must hold future hearings to determine the rights of Negroes under the new Taylor bill creating the Lincoln law department.

Case Sent to First Court

After the Gaines case went to the U. S. Supreme Court and was returned to the state high court following the ruling that Gaines must receive equal educational facilities within Missouri's borders, new hearings were held. But meanwhile the Taylor bill had been rushed through the state legislature. So Missouri U. attorneys argued that sufficient provision was now made at Lincoln for Gaines' education.

"We are unwilling to undertake to determine the constitutional adequacy of the provision now made for Gaines' legal education within the borders of the state," said the opinion rendered Tuesday. "Orderly procedure requires that the question be submitted to and determined by the trial court in the first instance.

"If the facilities at Lincoln University to be available at the commencement of the next school term, which is in September, are in face substantially equivalent to those afforded at the University of Missouri, the writ (of mandamus) should be denied; otherwise, it must issue, as a denial under those circumstances would amount to an arbitrary exercise of discretion."

Lincoln Dean Chosen

At the same time, it was announced that William Edwin Taylor, who since 1939 has served as acting dean of the Howard University law school, has been named dean of the Lincoln law school schedule to open in September.

Taylor was a normal graduate there in 1917 and holds bachelor of arts and bachelor of laws degrees from the University of Iowa. He has been teaching law at Howard since 1929.

President Scruggs said the new school will be organized in strict accordance with standards set forth by the American Association of American Law schools and that Will Shafroth, white, chairman of the legal education committee of the American Bar association and Harold Shepherd, white, secretary of the American Association of American law schools have been invited to Lincoln to help start the new school.

STALLING IN MISSOURI

Last week the supreme court of Missouri reversed its former decision in the Gaines-University of Missouri exclusion case, holding that while Gaines is due adequate legal training, it cannot make a final decision until it is determined that the legal training to be offered by Lincoln University is equal to that given by the state university.

This is just another stall, an example of how so-called courts of justice work to perpetuate the status quo against which Negroes are in revolt.

Missouri has appropriated $200,000 to establish a law school at Lincoln University, a sum which everybody knows to be totally inadequate for the purpose.

But the Missouri supreme court must wait until the obvious is proved before it acts to compel the University of Missouri to admit a taxpayer (who helps support the university) to its law school.

Of course this will take a long time to prove because the Lincoln University law school has not even been established and the state is not hurrying to do so.

So we have an elaborate stall: a legal device which will give the University of Missouri another breathing spell in which to devise new methods to avoid admitting Negro graduate students.

In spite of this Negroes will carry on, fighting every inch of the way, through all the courts, undeterred by legal obfuscation until Missouri is forced to abide by the decision of the United States Supreme Court.

How far off that time is, will be determined by the support Negroes give to this memorable fight led by the National Association for the Advancement of Colored People.

Lauded For Fighting 'Jim-Crow' In Sports

DETROIT, April 27. (ANP)—The action of University of Missouri white students in protesting the mandate of university officials barring Wisconsin's star colored hurdler, Ed Smith, from competition in last Saturday's triangular meet at U. of M. has been warmly commended by Negro and white students all over the nation.

When the U. of M. ban was not lifted, both Wisconsin and Notre Dame withdrew from the meet. Missouri students branded the officials' stand as "unreasonable and undemocratic." Meeting here in Detroit at Plymouth Congregational church, the Negro Youth chairman, sent a telegram to U. of M.'s president, chairman with a teelgram to U. of M.'s president of the student-body in appreciation of "the stand you have taken for race tolerance in the field of sports."

Excerpt from the youth conference wire: "We hope that your sincere democratic spirit as portrayed by this incident will guide you in dealing with all phases of our American democratic ideals. Your action has heartened us and given us courage to fight for a greater extension of democracy to all the people."

New Court Fight Over Education Looms In Missouri

NEW YORK—A new legal battle over educational opportunities is in prospect in Missouri, as a result of the signing of the Taylor bill by Governor Lloyd C. Stark last week.

The board of directors of the National Association for the Advancement of Colored People meeting here May 8, voted to offer the legal advice, moral and financial assistance of the association to any colored student who wishes to challenge the new Taylor bill, which is regarded in Missouri and elsewhere as a bare faced double cross of the United States Supreme Court decision in the case of Gaines vs. Missouri.

The Taylor bill, which has now become a law with Governor Stark's signature, simply directs the curators of Lincoln University to make it the equal of the University of Missouri. The bill does not indicate how this equalization is to take place. An appropriation bill, separate, but accompanying the Taylor bill, sets aside $200,000 for the equalization of Lincoln University with the University of Missouri. At the same legislative session, the University of Missouri was given $3,000,000.

A further catch in the Taylor bill is that it provides that pending the equalization of the Negro university with the University of Missouri, Negro students who apply for graduate and professonal training may be given scholarships to out of state institutions.

The United States Supreme Court in the decision in the Gaines case, stated specifically that out of state scholarships did not mee the constitutional requirement for equality.

The board of directors of the NAACP and some members of the legal committee who were present voted unanimously to back up the protest of Missouri Negro citizens by offering to any colored student in Missouri legal advice and assistance to challenge the new "run around" of the Missouri legislature. Colored people in Missouri are aroused as never before and are determined to push the matter to a definite conclusion. All eyes in the education world of the South are focused on Missouri where the test case was made and unless decisive action is taken there, other states will feel that the supreme court opinion can be ignored.

"The NAACP legal staff is prepared to act immediately in behalf of any student in Missouri," Chairman Arthur Spingarn said Monday.

Lloyd Gaines, Mo. University Case Reargued

Technical Legal Step Before Enforcement Of Supreme Ct. Ruling

ST. LOUIS, Mo.—Re-argument in the case of Lloyd Gaines vs. The University of Missouri was heard here Monday by the Missouri Supreme Court. Gaines was represented by Charles H. Houston of the NAACP legal staff, and Sydney Redmond and Henry Espy, local attorneys.

The re-argument was the technical legal step necessary before the Circuit court at Columbia, Mo., and the University receive official notification of the U. S. Supreme Court's ruling.

Passage of the Taylor Bill in Missouri legislature has not deterred young Gaines in his plan to enter U. of Missouri next Fall. Made a law by the Governor's signature last week, the Taylor Bill provides that a law school and other schools of higher learning be established at Lincoln university. The sum of $200,000 was appropriated for expansion of Lincoln U. under the terms of the Taylor Bill.

SCHOOL ISSUE TO GO BACK IN COURT

ST. LOUIS, Mo., May 18.—Missouri colored citizens are prepared to start the fight for equal educational opportunities all over again as a result last week of the passage and signing of the so-called Taylor bill, a subterfuge adopted by the state to escape the plain instruction of the United States Supreme Court that discrimination in education cannot be practiced against any class of citizens in the state.

The Taylor bill provides simple authority to the officers of Lincoln university at Jefferson City to create facilities for professional training there equal to the facilities at the University of Missouri from which Negroes are barred. The appropriation this year for Lincoln university is $200,000; for the University of Missouri, $3,000,000. Nor do these figures take into account the vast sums that have been poured into the University of Missouri in past years.

Gov. Lloyd Stark, trotted out some weeks ago as possible Presidential timber, signed the odious Taylor bill.

The fight that is to begin all over again will start with new applications of Negro students to enter the University of Missouri. The board of directors of the National Association for the Advancement of Colored People in New York has unanimously agreed to support through the courts any student who desires to test this new law by qualifying and seeking admission to the University of Missouri.

Plans are being made by strong branches of the association in several parts of the state to get test cases started.

The political repercussions of Gov. Stark's action are expected to upset the party balance within the state.

Ga. Interracial Group Considers Gaines Decision

Atlanta World
Atlanta, Ga.
1-17-39

Members of the Georgia Committee of the Commission on Interracial Cooperation discussed ways and means by which the state might meet the recent decision of the United States Supreme Court in the Gaines (Missouri education) case in an Atlanta meeting Monday. The meeting was called by the committee chairman, the Rev. R. L. Russell, white, of Gainesville, and Mrs. Jesse Ames, secretary of the Interracial Commission.

A committee was appointed to bring in recommendations as to how the decision that states must furnish equal education for all within their borders will apply to Georgia. The committee was empowered to enlarge itself and to solicit opinions and suggestions of the public. It consists of the following: Judge Oville Park, white of Macon; the Rev. Lester Rumble, white, of Atlanta; Dr. J. C. Wardlaw, white of the state educational department, Atlanta; the Rev. R. E. Russell, white, of Gainesville; President M. S. Davage of Clark University of Atlanta; Colonel A. T. Walden of Atlanta and Prof. Aaron Brown of Fort Valley Normal and Industrial School, Fort Valley.

The committee meeting featured discussion of the educational issues by those present.

Among other colored persons present beside those mentioned were: Miss Hattie Feger, Atlanta C. A. Scott, Atlanta; Prof. C. V. Troup, Brunswick; Mrs. A. S. Clark, Cordele; Dr. W. F. Boddie, Forsyth; Miss Camilla Weems, Savannah; President W. A. Fountain, Morris Brown College. Atlanta; President W. M. Hubbard, Forsyth; Dean Edwards, Forsyth, and the Rev. James Gadson, Macon.

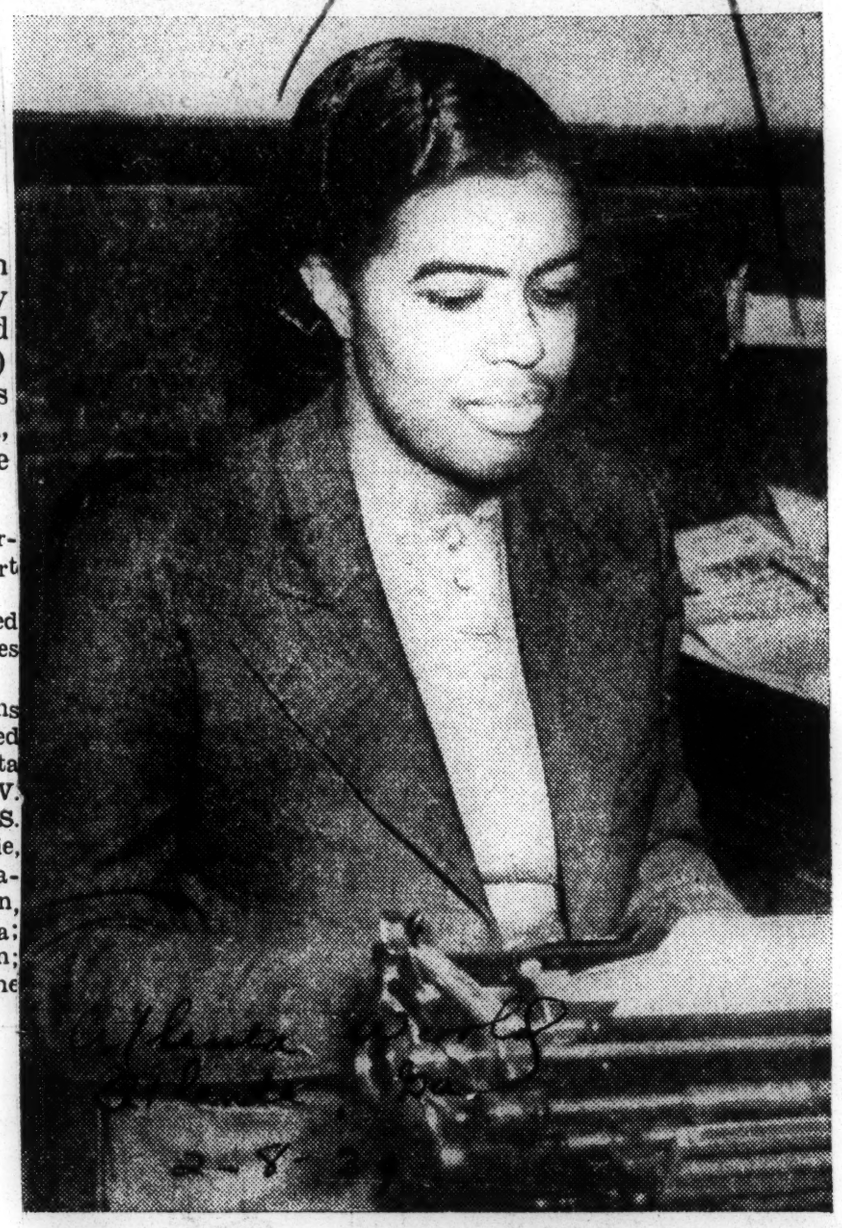
Win Right To Use Courses

Atlanta World
1-21-39
Atlanta, Ga.

KANSAS CITY, Mo.—(ANP)—Kansas City's park board, which had limited Negro golfers to use one public park only on Monday and Tuesday of each week, will have to lift this rule and make provisions for colored to play on municipal courses the same as other citizens, according to a ruling handed down last week by Judge Ben Terte.

This issue was forced by Negro taxpayers and golf enthusiasts who objected to the park's board discriminatory ruling.

Missouri U. Refused Her



KANSAS CITY, Mo.,—Miss Lucile Bluford, Kansas City newspaper woman, who last week was denied entrance to the School of Journalism at Missouri University. Registrar of the school said he would continue the refusal until officially notified of the recent Gaines decision, which ordered the institution and state to give equal eduation to all citizens within its borders.—(ACME).

Claims State Already Has Race College

Supreme Court Petition Asserts 'Practical Problem' Overlooked

PREPARE TO FIGHT

NAACP Says Petition Illustrates Dual Morality Standard

ST. LOUIS, Mo., Jan. — Unwilling to admit the justice of the recent sweeping Supreme Court decision which ordered the University of Missouri to admit Lloyd Gaines, Negro college graduate, to its law school, the State of Missouri filed a petition last Saturday, for a rehearing of the case before the nation's highest tribunal.

Announcement of the State's action was made here, last Friday, by Sidney Redmond, president of the local branch of the National Association for the Advancement of Colored People, and associated with Charles H. Houston in pleading the case before the high court, which resulted in a victory for Gaines and the N. A. A. C. P.

The petition, which upholds the minority opinion expressed in the dissents of Justices Butler, and McReynolds, contends that the decision does not take into account the fact that the problem of the races in the South is practical, which must be solved on the basis of actual needs rather than upon purely theoretical considerations.

The high points of the petition hold

"That the Court's construction of the Equal Protection Clause is a new departure in that previous decisions had confined themselves to discussing who should be protected, whereas, this decision lays down the geographical limits within which protection must be afforded.

"That the Supreme Court overlooked the right of Missouri to enter into a contract with another state to supply Gaines with a legal education and that under such contract the out-of-state university would become the agent of the State of Missouri.

"INTENSELY PRACTICAL PROBLEM"

"That the Court overlooked the effect of Gaines' failure to apply to the curators of Lincoln University.

"That the question of education of the races in the South is an intensely practical problem which must be solved with due regard for the actual needs of the two races rather than upon purely theoretical considerations. The petition says that the correct approach is the minority opinion; that under the majority the state will be deterred from the normal expansion of its higher education institutions and that the effect of the decision will be to set up a lot of idle teaching staffs, empty classrooms, and no students at Lincoln University."

In a statement issued from his office in Washington, Charles H. Houston said that present plans of the Association call for filing a short reply to the petition "so as to get on the record a statement of the points made in oral argument."

"Obviously the whole basis of the petition," he said, "is a determination on the part of the State of Missouri to segregate Negro citizens and then make them pay for the segregation. The petition illustrates the state's dual standard of morality, and the utter inability of the officials of the state of Missouri to conceive of Negroes as an integral part of the state."

"Privilege" For Whites

The Supreme Court Decision held that the state of Missouri, in denying Gaines' admission to the University law school, created "a privilege for white law students which is denied to Negroes by reason of their race." The court went further when it pointed out that the state's substitution of scholarship grants to enable Negro students to attend schools in other states where they could be admitted to universities, "does not remove the discrimination". The decision represented a 5-2 vote of the Justices, with Justices Butler and McReynolds dissenting.

The dissenting opinion, written by Justice McReynolds, said in part:

"Considering the disclosures of the record, the Supreme Court of Missouri arrived at a tenable conclusion and its judgment should be affirmed. That court well understood the grave difficulties of the situation and rightly refused to upset the settled legislative policy of the State."

Missouri Univ.'s Plea Denied In Gaines Case

WASHINGTON, D. C., Jan.—The U. S. Supreme Court on Tuesday denied Missouri University's plea for reconsideration of its decision ordering Lloyd L. Gaines, of St. Louis, admitted to the University's Law School.

Missouri U. Denied High Court Rehearing

Afro-American 1-14-39

WASHINGTON

The U.S. Supreme Court, Tuesday, denied a re-hearing to the University of Missouri in the case of Lloyd Gaines, whom the institution must admit to its law school.

The action of the Supreme Court refusing a rehearing leaves the State of Missouri no further legal remedy. When the mandate of the U.S. Supreme Court reaches the Supreme Court of Missouri, the latter will have to issue a writ of mandamus to compel the curators of the university to admit Gaines.

The Supreme Court of Missouri was reversed by the U.S. Supreme Court and the case was remanded for further proceedings not inconsistent with its decision that Gaines was entitled to be admitted to the law school of the State university in the absence of other and proper provision for his legal training within the State.

One Alternative Left

The only alternative left the State of Missouri under the decision of the Supreme Court is to provide equal educational facilities for colored students at Lincoln University at Jefferson City, Mo., which is also a State institution.

It was pointed out that in Missouri, there was a legislative declaration of a purpose to establish a law school at Lincoln whenever necessary or practical.

Pending the establishment of such a school, scholarships were provided for colored students to study law at State schools in the adjacent States of Kansas, Nebraska, Iowa and Illinois, where non-resident colored students are admitted.

The U.S. Supreme Court, however, took the position that it was the duty of the State of Missouri either to supply a law school at Lincoln or admit him to its lily-white university.

Gaines, now employed in Michigan, is not expected to enter the law school before next September, but it is reliably reported that several St. Louis colored students have filed applications to enter various departments of the university in February when the second semester begins.

Supreme Court Refuses To Review Gaines' Case

WASHINGTON, D. C.—The Supreme Court today denied a plea of the University of Missouri for reconsideration of the court's decision ordering that Lloyd L. Gaines, St. Louis Negro, be admitted to the University Law School.

Attorneys for the University sought the rehearing on the grounds the decision had introduced a new interpretation of the equal protection clause of the Federal Constitution and over ruled past interpretations of the clause.

The decision challenged by the University was rendered December 5th and held, in effect, that since the state maintained no law school for Negroes, it must admit Gaines to the University Law School.

UNIVERSITY OF MISSOURI LOSES AGAIN

In a swift and decisive ruling, the United States Supreme Court, Tuesday, refused to grant a re-hearing in the Gaines vs. University of Missouri case.

Attorneys for the university had sought a rehearing on the grounds that the state had the right to contract with another state to teach its colored citizens in the subjects of law, medicine, etc.

We presume that the Supreme Court took the same position that it did when it handed down the decision on December 12th in that it said that even if the state had the right it would still be denying the Negro student his or her constitutional rights and that it would be discriminating against colored students to their hurt. Therefore, the denial of the re-hearing is what any reasonable thinking person would have expected.

As to the Board of Curators of the University of Missouri, we think that the reasonable and logical course for them to pursue is to dismiss any further prosecution of their race prejudice against the Negroes and issue a statement welcoming Gaines to the Law School of the university just as they welcome other races and nationalities. They should take the position that the decision of the United States Supreme Court was a stepping stone by which the state of Missouri can advance in civilization where it will be equal to her sister states, Kansas, Nebraska, Iowa and Illinois. These states are free, but Missouri is handicapped by race prejudice. The state wishes to go forward, but its race prejudice against Negroes is the "hump" on the camel's back which prevents that animal from going through the Needle Eye gate. If Illinois, Iowa, Kansas and Nebraska can provide graduate schools where both white and colored may attend on equal footing, what is the matter with Missouri? Would it not be better for Missouri to pattern after these states than to follow the horse and buggy ideas of such states as Alabama, Georgia, South Carolina, Texas, etc.? Would it not be better for Missouri, which is geographically above the Mason-Dixon line, to live in the atmosphere of the North than to kotow to the spirit of the southern states which are called the "nation's number one economic problem?" Why does Missouri want to be in that category?

Whatever has been the tradition of Missouri in the past with reference to this school question, the decision of the United States Supreme Court in the Gaines case gives it freedom to deliver itself from "this dead body."

U. of Missouri Student Editor to Epeak On Attitude of Students of School Toward Negroes

Martin Demansky, Associate Editor of the college paper at University of Missouri, will speak on "The Attitude of the Students of Missouri University Toward Colored Student Entering the University" at the Saturday afternoon session of the Conference on Negro Welfare to be held at Central Baptist Church, Ewing and Washington avenues.

The Conference which will cover various of Negro life in St. Louis and Missouri will open this Friday at 8 p.m., with the second session Saturday at 10 a.m.

UNIVERSITY OF MISSOURI AGAIN

During the week three Negro youths have applied for admission to the University of Missouri for graduate work. Each of them was told that the decision in the Gaines case was not final as yet, and therefore, in keeping with the tradition of the state for separate schools the applicant would be denied admission.

Looking at the situation in the light of our present civilization, we do not see that holding on to the state tradition of separate schools for white and colored students does any good, nor do we see how any appreciable number of people can obtain any great satisfaction in holding on to the past. If holding to past traditions has thrust this state in the forefront among her sister states then the populace would be justified in saying "Hurrah for Missouri!" But if, on the other hand, Missouri, in holding on to her "traditions" is left in the background while her sister states, Kansas, Iowa and Illinois go forward, then it stands to reason that Missouri is going in the wrong direction.

By admitting Negroes to their state schools, Illinois, Iowa or Kansas have never been known to suffer any setback in their progressive march. In fact, the people of these states are among the vanguard of civilization. They easily rank with the citizens of Indiana, Ohio and New York. It is a pity that the people of Missouri still allow themselves to be so blinded by racial prejudices that they are unable to see that by advancing the Negro the whole populace will go forward. We do not see why the people in the state of Missouri would prefer to follow the customs and practices of the people of Alabama and Georgia rather than to pattern after the people in New York and New Hampshire. It is the "traditions" of the southern states that make that section of the country the nation's number one economic problem, and in their endeavor to hold on to these traditions despite a changing world in which they are living the condition of these people becomes worse. The South has poor schools and its intelligence is so low that it is not able to tap the natural and other resources which it has in abundance. In fact, the resources of the South are sufficient to make every man, woman and child happy, but they are barred from the fruits of what they have because of their "traditions."

Surely it is time for thinking; surely it is time for the people of Missouri to act in accordance with the dictates of sound judgment instead of with sentimentality based upon traditions. Intelligence knows no color. The mere fact that one is the offspring of a slave is no logical reason that he should be denied an education.

We are reminded here of the poet who said:

"Fleecy locks and black complexion
Do not forfeit nature's claim
Skins may differ but intellect
Dwells in black and white the same."

Our theory is that man is measured by his mind and we think that all leading psychologists will agree with us..... what about the people of Missouri? Another poet, Isaac Watts, writing on the subject said:

"Were I so tall to reach the pole
And grasp the ocean in my span,
I would still be measured by my soul
For the mind is the standard of man."

Surely the state of Missouri does not wish, hope nor expect other states to do more for its citizens than it will do for them itself.

Richmond, Va., Times-Dispatch
December 13, 1938

Supreme Court Erases Color Line in College; NLRB Loses on Appeal

Decision Bars Reinstatement Of Strikers

In its session yesterday, the Supreme Court:

Gave the National Labor Board its second setback in as many weeks.

Ruled that the University of Missouri Law School should admit as a student Lloyd L. Gaines, a Negro.

Refused a petition for a writ of habeas corpus for Tom Mooney.

Agreed to review a decision denying I. W. Lane, Oklahoma Negro, a $10,000 judgment against election officials he accused of denying him the right to vote.

NLRB Thwarted

WASHINGTON, (AP)—The Supreme Court yesterday thwarted an effort of the National Labor Relations Board to reinstate 145 seamen who were discharged after two ships had been seized in sit-down strikes.

Without explaining its action, the court refused a board request that it review a decision of the Fifth Federal Circuit Court, which set aside a board order requiring reinstatement of the men.

The order had been directed against the Peninsular and Occidental Steamship Company.

It was the second setback within as many weeks for the NLRB. The court ruled formally last Monday that the board had exceeded its authority in ordering cancellation of contracts between A. F. of L. unions and the Consolidated Edison Company of New York. As in that case, the American Federation of Labor appeared in opposition to the board in the proceedings ended yesterday.

Case Is Reviewed

In the steamship dispute, the NLRB ordered the strikers reinstated with back pay. It contended the men were discharged because they joined and assisted the National Maritime Union, a C. I. O. affiliate.

At the time of the dispute, the International Seamen's Union (A. F. of L.) had contracts with the company, which operates the steamers Florida and Cuba between Miami and Port Tampa, Fla., and Havana.

Crew members on the Florida struck at Tampa on June 4, 1937, asserting they wished to change their union affiliation from the A. F. of L. to the C. I. O. Members of the Cuba joined the strike. It was settled by intervention of the Labor Department.

Mutiny Charge Upheld

Two weeks later members of the crew on the Cuba who still favored A. F. of L. affiliation refused to sail with those who had joined the C. I. O. and a new strike resulted. Crews of both the Florida and the Cuba were discharged and the A. F. of L. union, under its contract, supplied new crews.

The Circuit Court decided that the seizing of the ships by sit-down strikers was "at least prima facie evidence that the crews were guilty of mutiny."

It added:

"It would be gross negligence for a vessel to put to sea with that kind of crew."

The A. F. of L. contended the Circuit Court's decision should be allowed to stand. It argued the Labor Board order "declined to give effect to an existing contract."

Negro Wins on Appeal

In its only formal decision yesterday, the high court ruled that the University of Missouri should admit Lloyd Gaines, a Negro, to its school of law.

(In Lansing, Mich., where he is employed on a WPA-sponsored survey, Gaines declined to say whether he would enter the school, which previously had refused to admit him.)

Chief Justice Hughes wrote the majority opinion. Justices McReynolds and Butler dissented.

Missouri provides separate schools for Negroes, including Lincoln University at Jefferson City. In addition, it provides for payment of tuition at schools in adjacent States for Negroes who wish to study subjects provided at schools for whites but not at the Negro institution.

The Missouri Supreme Court upheld a ruling that the scholarship provision was adequate.

"We are of the opinion," Hughes said, ". . . . that petitioner was entitled to be admitted to the law school of the State university in the absence of other and proper provision for his legal training within the State."

Brushing aside, as beside the point, Missouri's scholarship arrangement and provision for establishment of a law school at Lincoln University when the curators deemed it necessary, the chief justice said the State "was bound to furnish him (Gaines) within its borders facilities for legal education substantially equal to those which the State there afforded for persons of the white race, whether or not Negroes sought the same opportunity."

Dissenting, McReynolds said the Missouri Supreme Court "arrived at a tenable conclusion and its judgment should be affirmed."

"That court well understood the grave difficulties of the situation," he said, "and rightly refused to upset the settled legislative policy of the State."

Noting Missouri's view that its best interests demanded separation of whites and Negroes, McReynolds continued:

"Under the opinion just announced, I presume she may abandon her law school and thereby disadvantage her white citizens without improving petitioner's opportunities for legal instruction; or she may break down the settled practice concerning separate schools, and thereby, as indicated by experience, damnify both races."

Sixteen States Affected

Charles Houston, counsel for Gaines, said the decision "affects the entire scope of graduate professional training" for Negroes in 16 Southern States which do not provide such training within their borders.

He expressed the opinion Missouri could avoid admitting Gaines to the State law school by establishing an adequate school of law at Lincoln University prior to the next regular admission date at the University of Missouri.

In another case involving a Negro, the Supreme Court agreed to review a decision by the Tenth Circuit Court of Appeals, which refused I. W. Lane, Negro of Wagoner County, Okla., a $10,000 judgment against election officials whom he accused of denying him the right to register or vote in the county.

The high court denied a petition for a writ of habeas corpus for Tom Mooney, labor leader serving a life sentence in San Quentin Penitentiary, Cal., for complicity in the 1916 Preparedness Day bombing at San Francisco. A similar petition was denied last week.

John F. Finerty, Mooney's attorney, commented in a statement to the press:

"The Mooney case ends in the courts as it began—a disgrace to American justice and to American courts."

Governor-elect Culbert Olson of California said recently that he believed Mooney to be innocent, and that he would give prompt consideration to a pardon application.

Ruling May Kill Virginia Law

Action of the Supreme Court yesterday in ruling that a State must provide "equality" in educational privileges for white and Negro students apparently means that the Virginia law dealing with the question of educational opportunities for Negroes in State schools is unconstitutional.

The 1936 General Assembly authorized State institutions which deny admission to qualified Negroes to aid these students in getting instruction outside the State by paying "such sums . . . as may be necessary to supplement the amount which it would cost such persons to attend the said State college, university or institution."

Under this ruling, which is similar to the Missouri law declared unconstitutional yesterday, approximately 50 Negroes from Virginia have been given financial aid to attend Northern schools, mainly Columbia University and the Universities of Chicago and Michigan.

In the fall of 1935, Alice Jackson, a Richmond Negro and a graduate of the Virginia Union University, applied to the University of Virginia for the right to take the university's post-graduate modern language course. When her application was refused, the National Association for the Advancement of Colored People announced intention of carrying the case to court, but the State law authorizing financial aid for Negroes to go North to school was passed and the case was never taken to court.

Dr. J. M. Tinsley, president of the Virginia Conference of the N. A. A. C. P., said last night he did not believe the association would take any action on the matter at present, since the group is occupied with other questions. He added, however, that the association plans to fight further for equal opportunities for Negro students at some time in the future.

Anderson, S. C., Mail
December 21, 1938

A THREAT TO PUBLIC SCHOOLS

The decision of the United States supreme court, upholding a Missouri negro's right to enter the state university's law school, and by inference opening the doors of other graduate and professional state-owned schools in the South to negro students, might have been the beginning of a deluge that may, within the next few years threaten the entire public school system of South Carolina and other Southern states.

Already the Association for the Advancement of Colored People, under the leadership of Walter White, has started proceedings seeking to force the various states to grant equal public school advantages to members of both races. In view of the supreme court's recent decision it seems reasonable to infer that any discrimination against negroes with respect to teachers' salaries, length of terms, curriculum, and equipment may also be declared unconstitutional.

Under such a decision, the state, county or school district would be forced to establish a nine-month school term for negroes in districts where such a term is in effect for white pupils. The salary scale for white and negro teachers would be reduced to that of other public schools.

Such a situation would add thousands of dollars to the tax bills of the various southern states, and, in all probability, would result in weakening the educational system, as it is now established.

The fact that payment of taxes for the operation of public schools for both races is a burden that rests principally upon the white population would not alter the situation under the supreme court's ruling.

Farmville, Va. Herald
December 16, 1938

Higher Negro Education

A decision of the Supreme Court Monday may add to the already heavy burden of education in the Southern states. In a majority opinion written by Chief Justice Hughes, the Court ruled that the University of Missouri should admit Lloyd Gaines, a Negro, to its school of law. Missouri, as do all the Southern states, provides separate schools for Negroes and that State has a very complete institution, Lincoln University at Jefferson, Mo. It also provides for tuition at schools in adjacent States for Negroes, who wish to study subjects provided at schools for whites but not at the Negro institutions. Virginia has a law paralleling the Missouri law and is now educating fifty Negroes at Universities outside of the State, by paying the difference in cost of a course at a State institution and the actual cost in the University attended by the student.

This appears to us to a very sane and sensible way to offer higher educational advantages to the qualified Negro. Otherwise it would necessitate the establishment of universities within the borders of each Southern State, to serve a relatively small proportion of its population with a variety of courses in higher education. It would add materially to the already mounting cost of higher education, and would require funds now spent on the Universities for whites curtailing their advantages in proportion to the diversion of funds.

No one denies the right of Negroes to the advantage of education as high as those offered in the public institutions, and we believe the Negroes of the South who are worthy to carry forward the standard of their race will agree with the provisions made by the Southern states for their education, until such time as the expense of the present provision would warrant the establishment of courses in the Negro State Universities.

We do not presume to say that the decision of the Supreme Court is contrary to the strict interpretation of the Constitution. However, we do say without equivocation that the present method is the most practical method of handling the problem and will continue to be satisfactory to both the white and the Negro races of the South.

In the 77 years since the emancipation of the Negro in the South, remarkable progress has been made through the sympathetic understanding shown by the people of the South and the cooperation of the Negro, himself. Future progress must be predicated on past experiences to be of permanent and mutual benefit.

It seems to us beside the point as to where the advantages are offered, whether within the State or not; the main consideration is that equal advantages are offered by the State and certainly the practical method now employed is far superior to the alternatives suggested by the decision of the Supreme Court, on the one hand of adding an additional burden of expense to the tottering load of appropriations for higher education in the states; or of reducing the courses in higher education now established, thereby disadvantaging the white citizens, without improving the advantages for the Negro; or by breaking down the settled practice of separate schools and thereby make our higher education untenable for both races.

University Of Missouri Ignores Gaines Decision

COLUMBIA, Mo., Sept. 22—The University of Missouri refused a second time to admit a member of the Race to its school of journalism when the application of Miss Lucile Bluford of Kansas City was turned down when she appeared on the campus to enroll Thursday, Sept. 14.

The excuse of Registrar S. W. Canada was that it was the responsibility of Lincoln university, at Jefferson City, to provide graduate work in journalism for Miss Bluford.

Lincoln university, however, does not offer even undergraduate courses in journalism. When told that there was no place other than Missouri university where graduate work was offered, Canada still refused to admit Miss Bluford.

Applied in February

Miss Bluford, managing editor of The Call in Kansas City, first applied for admittance to Missouri university's journalism school last February, a few weeks after the United States Supreme Court handed down the famous Gaines decision ordering the state of Missouri to admit Lloyd Gaines of St. Louis to the University of Missouri law school in the absence of a state-provided law school for him to attend.

Before Miss Bluford appeared on the Missouri university campus last winter, her credits from the University of Kansas, where she received her A.B. degree in journalism, had been accepted.

Canada said he accepted the credits before he knew that Miss Bluford was a member of the Race.

Ignores Telegram

In February, Miss Bluford was told that the Gaines case was not definitely settled and that until its final disposition she would not be admitted. Canada said that perhaps the case would be settled by September.

Since that time, the Missouri supreme court has reversed its original opinion to comply with the U. S. Supreme Court decision. Thinking that this procedure opened the way for her to begin her graduate work at Missouri university, Miss Bluford applied again.

When Registrar Canada refused to admit her, Miss Bluford appealed by wire to President Frederick A. Middlebush and to the board of curators of Missouri university, but to no avail. Neither answered her wire.

No Provision at L. U.

From Columbia, Miss Bluford, accompanied by Atty. Sidney R. Redmond, famous Gaines case counsel, and Atty. John Davis, both of St. Louis, went to Jefferson City for an interview with President Sherman D. Scruggs of Lincoln university to ascertain what provisions had been made to offer graduate juornalism work.

It was learned that no courses in journalism are offered at Lincoln university and that no provisions have been made. President Scruggs said that the matter would be taken up with the board of curators at its September 30 meeting.

In the meantime, classes have begun both at Missouri university and at Lincoln university and no provision has been made to offer graduate work in journalism or any other profession except law.

The "subterfuge" law school, created for Lloyd Gaines after the Supreme Court decision last December, was scheduled to open Wednesday, Sept. 20.

DISCRIMINATION - 1939 MISSOURI

Gaines Still Missing!!

Call 10-27-39 Kansas City, Mo.

ST. LOUIS.—Lloyd Gaines, principal in the famous Missouri University case, is still missing, his attorney, Sidney R. Redmond, said this week.

Redmond has asked the police of Ypsilanti, Mich., to aid in the search for Gaines who has not been heard from since last spring when he left Kansas City for Chicago. No word as yet has been heard from the Ypsilanti authorities.

Every newspaper in the country headlined Gaines' disappearance and carried pictures of the Lincoln university graduate who made history by demanding admittance to the law school of the University of Missouri.

Gaines' failure to appear or contact his attorneys in the face of wide-spread publicity has led many to believe the youth may have met with foul play.

Anyone with any tip or clue, no matter how trivial, as to the possible whereabouts of Lloyd Gaines is asked to contact Sidney Redmond, Peoples' Finance building, St. Louis, or THE CALL, Box 77, Kansas City, VIctor 3804.

Halted But Not Stopped

The security and opportunity with which man is blessed as civilization develops is not bought cheap. Somewhere back toward the source of each gain there was courage that dared, plan that persisted and sacrifice that paid—and some failure. For that reason, though we are disappointed that Lloyd C. Gaines for whom the N. A. A. C. P. brought a case to compel the state to educate all its citizens equally, is not present to do his part in the next step of the litigation, we are not discouraged. Every gain had to be bought dearly. Negroes are not ready for equal education and equality in public service until they have both the resourcefulness and the persistence to fight on against difficulties.

Whether or not Lloyd C. Gaines ever stands before the state supreme court of Missouri demanding what the U. S. supreme court says is his right, that right exists. Let's not look on the dark side and regret Gaines, when the bright side shows clearly how much we have gained. An attempt at a law school in North Carolina, litigation to force one in Tennessee and recognition of the supreme court's decision in other states which heretofore have handled education for Negroes as they pleased, are progress undreamed of a decade ago.

Some day, if not Gaines, another Negro will stand at the bar of justice demanding equal educational opportunity. In time Negroes will develop champions, who will match what Nathan Hale did for the revolting colonists at the cost of his life. or what Mooney did for labor by going to prison.

N. A. A. C. P. Attorney Says Fight to Enter the University Of Missouri Will Continue

KANSAS CITY, Mo. — In a masterful presentation of the history of the fight being waged by the N. A. A. C. P. for equality of education in America, and especially Missouri, Charles H. Houston of Washington, D. C., told a large Kansas City audience Sunday that the fight will be continued until Negroes enter the University of Missouri.

An unusual angle was given Mr. Houston's speech when it was discovered before the program started that the proceedings would be recorded by a white court stenographer, believed to have been sent by attorneys for the University of Missouri.

Mr. Houston told the audience of the presence of the young woman stenographer, who could be seen taking notes at a table in front of the rostrum, and gained sharp attention when he stated he would address his remarks to the people who sent you (the stenographer) here.

He spoke at the Centennial Methodist church at a meeting sponsored by the Kansas City branch of the N. A. A. C. P.

Attorney Houston, chief counsel for the N.A.A.C.P., with Sidney R. Redmond, who also appeared on the program, argued the famous Gaines-Missouri U. case before the United States Supreme court and won the decision.

Attorneys Houston and Redmond were in Kansas City in connection with the suit filed on behalf of Miss Lucile Bluford for entrance to the University of Missouri.

Changes Speech

"I'll change the speech I planned to make to you," he told the audience, "and let you listen in on what I have to say to them," (referring to the persons who would read the stenographer's notes.)

The brilliant attorney then launched into a recital of the events leading up to the Gaines' fight, conditions surrounding it, and said some things he had been unable to say while arguing the case.

"We'll keep on fighting until we reach success, for history is on our side. It took the race 250 years to get free, so we won't mind working five or ten years to get into the University of Missouri," Mr. Houston began.

"And say we are not sour about the whole thing. We realize that great social movements have to take time. We are not even angry at the people who fight us, because they are no more responsible that they happen to have the misfortune to be born white than we are responsible for having the good fortune to be born black.

"You who sent this stenographer here pay the association honor. You serve notice that you know our fight is important. Nobody paid much attention to us when we first started the Gaines' fight, and now our fight has grown so that remarks I might make in a public gathering are important to you."

Began in 1935

The fight being waged by the N.A.A.C.P. for equality of education was first begun in 1935 when a student named Holcutt wished to enter the University of North Carolina. This case was tried by Dean William H. Hastie of Howard university for two days, but was lost because the North Carolina college for Negroes had failed to send Holcutt's undergraduate record to the so-called white university.

In 1935 Donald Gaines Murray sought entrance to the law school at the University of Maryland. His record had been sent to the University from Amherst where he received his A.B. degree and Maryland university officials did not realize he was a Negro until he presented himself for enrollment.

Murray attended the law school while his case was being fought, and finally won in the Maryland Court of Appeals. He was graduated in 1938, and has passed the bar examinations. The third Negro student is now enrolled in the Maryland law school.

In 1936 Alice Jackson of Richmond wished to do graduate study in English at the University of Virginia. Her father, a pharmacist, had educated four children.

"He was tired of helping to support the University of Virginia with his taxes and then having to send his children elsewhere to study," Mr. Houston related.

'Pay For Prejudice'

Miss Jackson did not enter the University of Virginia, but the Virginia State college at Petersburg (for Negroes) suddenly was appropriated $500,000 for a library it had needed for years.

"If you want to have your prejudice, we're going to make you pay for it," Attorney Houston affirmed.

"Nobody asks the color of a black man's skin when he is assessed taxes, and no reduction is made for him, either," the brilliant attorney stated, "and we are a poor people, too, because you won't give us jobs. If you paid us more wages, we'd be glad to pay the taxes for fundamentally we are an honest people.

"You can't buy all of us. Some of us don't need your money. Some of us need it but won't take it.

"We are doing you a favor. We are making you stand up to the principles of justice on which democracy is founded. If you do not thank us, your children or your children's children will thank us ...and that will be time enough."

The next case was that of William Redmond, a resident of Nashville, Tenn., who desired to study pharmacy. He had worked all his life by selling and distributing papers until he had acquired two homes on which he paid taxes. Meharry Medical college in 1935 was accepting no new students in its pharmacy division. The only other school supported by public funds offering such a course was the "white" University of Tennessee, against which the N. A. A. C. P. aided Mr. Redmond in bringing a suit.

Sue in Tennessee

"We had our choice of filing suit in either Knoxville where the university is, or in Memphis where the school of public health, medicine, pharmacy and dentistry is located," Atty. Houston explained. Knoxville is 26 miles from Norris, Tenn., the seat of the TVA, a town built by federal funds, town where Negroes are not allowed to live or work. NOTE: Tell them that's on our agenda, too, but we can't get around to everything at once.

"We took the suit to Memphis, Memphis is across the river from Arkansas and ten miles from Mississippi. We wanted to show them that we meant business and that we were headed South.

"We lost this case. We've got to make mistakes. Our people realize that we must make mistakes. All they ask is that we don't make any dumb mistakes.

"Tennessee immediately pushed its scholarship law and offered Negroes a 'mess of pottage' by appropriating $2,500 for the entire state.

"Kentucky passed a scholarship law of $5,000 so Negro students could study out of the state, and then decreased the appropriation of Kentucky State college (Negro) by $5,000.

'Too Busy in Missouri'

"A student from Kentucky who was studying law at Howard had run out of funds by the beginning of the second semester and was advised the Kentucky scholarship fund was depleted when he made application. He then applied for entrance to the 'white' University of Kentucky. Immediately Governor 'Happy' Chandler and the legislature found funds for the youth

to continue his studies at Howard.

"Since most of us are poor, and since most of the lawyers who work on these cases donate their services, we had to pass up this case in Kentucky," Mr. Houston explained. "We were too busy in Missouri."

He then turned to a recital of the Gaines case.

"The thing that hurt me most in arguing that case at Columbia, was not in losing, for we knew we could keep fighting until we won, but in seeing otherwise honorable white men have their prejudices make them put up arguments a child can see through.

"You may win, but it doesn't do your soul any good.

"Many white men are responsible and honorable until it comes to treatment of Negroes, and then their prejudices make them justify their dishonorable actions with dishonest arguments."

'Lost Four Years of Life'

In referring to Gaines, Mr. Houston stated: "At one time Mr. Gaines wanted to go to the University of Missouri. Whether he does now or not, I do not know. At any event he has lost four years of his life. Had he been admitted to the University of Missouri he would now be practicing before the bar.

"If he follows our advice, he won't go to any makeshift, inferior school in the Poro building in St. Louis," he emphasized.

Mr. Houston then said that the next case would be the Lucile Bluford case but that since it has not come to trial he would not discuss it.

"It is hardly becoming for a lawyer to discuss his case before it is tried and I hope you will forgive me for not disclosing any secrets. I have enjoyed my stay in Kansas City, I expect to be working in Missouri quite a good deal this winter and with the best of spirit and friendship, because after all the fighting is done, black and white, we have got to live here together and I say goodbye until I see you again." Mr. Houston concluded his hour-long address.

When Mr. Houston concluded his speech, the audience gave thunderous applause. He arose and said:

"P.S. When I finished speaking my people applauded me. Naturally that makes me feel good, but they shouldn't applaud, they don't need to thank me. It is the white people who should thank me for trying to save the state of Missouri hundreds of thousands, millions of dollars."

Centennial church was filled by a crowd which occupied all the seats and stood to hear the noted attorney, an enthusiastic audience which interrupted his remarks numerous times with applause.

Charles H. Houston Points Out Broad Implications in Gaines vs. Missouri University Case

Decision Affects Every Negro Citizen

You don't have to be a college graduate or have a desire to study law or some other profession in order to benefit from the Gaines decision, said Charles H. Houston, of Washington, in an interview in Kansas City, last week.

Those who want to be doctors, lawyers, journalists, engineers, pharmacists and specialists in other lines are not the only ones affected by the famous United States Supreme court decision which rocked the educational systems in southern and border-line states last December.

That the Gaines decision has much broader implications than the average man realizes was brought home to Kansas Citians last week by Attorney Houston, who was a visitor in Missouri for a week. If any body in the country knows what the Gaines case means and how it affects the daily lives of Negro people — Charles Houston knows, because he is a part of the case. As chief N.A.A.C.P. counsel, Mr. Houston guided the legal procedure of the Gaines case from the beginning to its climax last winter when the supreme court justices ruled that the University of Missouri should admit Lloyd Gaines to its law school.

EVERY CITIZEN AFFECTED

In an interview with THE CALL, Mr. Houston explained how the Gaines decision affects the rights of every citizen in every phase of his public life.

"When the supreme court ruled," said Mr. Houston, "that the University of Missouri should admit Lloyd Gaines to its law school, many persons thought that 'that was the extent of the decision—a few students would get a better training in law, medicine, etc. But let's look at the principle which the Supreme court set down in that decision."

The big principle, the real meat of the Supreme Court decision, he said, was this: "If the state (Missouri or any other state) provides a service, grants a privilege or a right to white citizens, that same or an equal service, privilege or right must be provided also for Negro citizens, even if only one Negro citizen desires it."

The principle in the Gaines case, Mr. Houston said, applies "not only to education but to all forms of government and public activities."

"It afects golf courses," said the Washington attorney. "It affects swimming pools, public parks, recreation centers and day nurseries. For example, if the city is operating a day nursery for white citizens but none for Negro, then any Negro mother with just one child is entitled either to place her child in that city day nursery where the white children are or, if the city refuses to admit the Negro child to the nursery, then it will have to build another day nursery, equal to the first, even if that mother is the only Negro mother who wants day nursery service."

A FIGHT TO FINISH

The Supreme court ruled in the Gaines decision that the rights and desires of ONE Negro citizen must be respected. Until Lloyd Gaines insisted upon being admitted to the University of Missouri Law school, the state had been giving Negro students a part of their expenses to attend universities in other states, saying that not enough Negro students wanted to study law or engineering to justify the establishment of a special school for them.

"The Supreme Court," Mr. Houston explained, "decided in the Lloyd Gaines decision that no state could ship Negroes outside the state border while it was educating its white citizens at home. The United States Supreme court further decided that if the state of Missouri was offering legal education to white citizens it would have to offer legal education to Lloyd Gaines, even if Gaines was the only Negro in the state who wanted to study law."

The same principle was at work when Miss Lucile Bluford, of Kansas City, asked to be admitted to the Univeristy of Missouri school of journalism for graduate work since the state provided no school of journalism for Negroes. When she was denied admittance, even after the Supreme court decision, she filed a mandamus suit on October 13, the fourth suit which N.A.A.C.P. lawyers have filed on behalf of Negro students who have been excluded from state universities solely because of race.

These cases will be fought by the N.A.A.C.P. until Negroes are given their full measure of citizenship in all the states, Mr. Houston said as he launched once more into the significance of the fight for equal education.

ALL FORMS OF EDUCATION

"The significance of the Gaines case on which the Bluford case is based, runs much wider than mere university education," Mr. Houston said. "It includes high school education, grammar school education, night school and kindergartens of all other forms of public education.

"For example," he continued, "if a city is offering a course in advanced auto mechanics to white high school students, but is not offering a similar and substantially equal course to Negro high school students, any Negro high school student who is qualified can demand of the city that it also offer him advanced auto mechanics And it would be up to the city either to admit him into the clas ty of Missouri. The N.A.A.C.P. lawyers claim that the new law school is grossly inferior to the school of law at the University of Missouri, and that Gaines cannot get as good a legal education in the Lincoln university school as he could at the University of Missouri. That is the issue that is now before the Missouri courts.

"If the court decides that the Lincoln university law school is grossly inferior to the University of Missouri law school, it will have to issue a writ of mandamus to compel the University of Missouri to admit Gaines into the Missouri University law school."

At the present time preceedings are suspended while the N.A.A.C.P. lawyers are endeavoring to locate Lloyd Gaines, who has dropped out of sight.

"In the Bluford case," Mr. Houston commented, "Lincoln university has no school of journalism. Our information is that Lincoln university has no money with which to establish a school of journalism.

If it develops that Lincoln university cannot establish a school of journalism where Miss Bluford can obtain graduate work in journalism at the University of Missouri (the oldest and most famous journalism school in the country) then the decision of the U. S. Supreme court in the Gaines case would compel the University of Missouri to admit her."

In an address at a meeting sponsored by the Kansas City N.A.A.C.P., Mr. Houston said that he would be working quite a lot in Missouri this winter in the interest of equal education. In fighting for the admittance of Negroes to the University of Missouri, Mr. Houston said that he was trying to save the state of Missouri hundreds of thousands of dollars—the huge expense of setting up separate professional and graduate schools for Negroes.

Mr. Houston has returned to Washington until the hearing is held on the Bluford suit at which time he will return to Missouri.



CHARLES H. HOUSTON

of the white students or set up a separate class for him alone."

Asked whether he thinks the law school set up by the state of Missouri in St. Louis is equal to the law school at the University of Missouri, Mr. Houston said that this is the issue now before the courts.

CLAIM SCHOOL INFERIOR

"The answer of the state of Missouri to the Gaines case," he said, "has been the establishment of a separate law school as a department of Lincoln university. This new law school is housed in a part of the Poro building at St. Louis. The University of Missouri claims that this new law school of Lincoln university is substantially equal to the school of law at the Universi.

The Right Measuring Rod

One of the difficult tasks which many prominent Negroes seem not to be equal, is grasping the full significance of the recent United States Supreme Court decision in the Lloyd Gaines case. We have been reading papers published in several sections of the United States and in many instances it appears that the full extent and effect of this historic pronouncement is apparently not obvious.

In a recent discussion of the proposal of Representative Creekmore Wallace, of Oklahoma, in which he offers for enactment a bill which would convert Langston College into a full-fledged university, objection was met from some of the Negro conferees, who posed this question: "Why provide graduate courses in an unaccredited school?"

If the individual asking this question fully understood the meaning of the Supreme Court decision, in which the high court said that educational equality must occur within the state, it should be really understood that compliance with the court's ruling will mean that Langston University, aside from law and medical courses, must have the same recognition in its undergraduate work from the rating agencies as any other college or university in the state. To think that this will not be done is to forget or fail to understand the full significance of the Lloyd Gaines decision.

"Well, Langston University has not been accredited in the past forty years!" exclaims the calamity howlers. The answer is "we have not had the Lloyd Gaines decision during the past forty years. This decision gives Negroes firmer ground upon which to standing in insisting upon eir educational rights. In fact, it should be nuderstood hat the decision not only relates to equality in higher education, it affects in the same way the primary and secondry levels.

Any discussions about out-state scholarships is equivalent to receiving a gold dollar and handing it back to the donor. Where is the Negro so lacking in common judgment as to assume that equality offered out of the state is on parity with equality within the state. We hope no Negro teacher, dominated by an emergency economy, will adopt the notion that out-state scholarships offer parity with what the state should do for Negroes within the state.

Again, in discussing the number of potential students available for law, medicine, engineering and other graduate courses, care should be taken not to use as a measuring rod the number of students now taking such courses out of the state. How can one determine the need by any such deduction? We mention this because this method of arriving at the number of Negro students eligible for graduate courses was suggested during a recent conference.

One might just as well decide that the way to determine the number of people desiring to eat beef steak can be guagad by finding out how many, at present, are actually devouring it at meal times. Somewhere in such a discussion there should rise the question as to the accessibility or the inaccessibility of beef steak.

Take Langston University: We venture to say that twenty-five per cent of the graduates each year in that institution reside in Logan County. A still larger per cent of the Logan County contingent reside in the town of Langston. When we actually establish a medical, dental and law school for Negroes in Oklahoma there will be brainy boys and girls coming out of the woods to take these courses about whom no one ever hears.

A better way to determine the service such a school could render the Negro race may be found in the per capita amount of patients the Negro physician, dentist and lawyer serves as compared with the white professional group. We shall offer a few startling figures covering this viewpoint.

The World Almanac shows that in Oklahoma there were in 1934, 2,409 physicians, 104 of whom were Negroes, according to a report published by the U. S. Department of Commerce, bureau of the census. Since the Negro in Oklahoma represents one-eighth of the population there should be 301 Negro physicians in Oklahoma—three times as many as at present. Government statistics show a terrible death rate among Negroes. Perhaps the foregoing figures have something to do with this situation.

In Oklahoma the Department of Census says there are only 53 Negro lawyers, among a population of 225,000 black men and women and only 18 dentists serve this quarter of a million people. Perhaps out of these figures one can get a different picture than if one were to take the absurd position that the number of boys and girls now off in school should be the basis upon which to determine what the state of Oklahoma should do in the matter of professional courses for Negroes.

No Negroes are registered in Oklahoma as engineers and geologists. No Negro child has an opportunity to attend a school of mines. The same pitiable condition obtains in Texas. With no Negro to advise him a Negro in North Carolina several years ago sold for $2,000.00 a farm on which Duke University has quarried more than a million dollars worth of marble. In Oklahoma Negroes own land under which more mineral wealth rests than in any state in the Union. Should they live and die in ignorance of this vast wealth, or should the state train Negro boys to search scientifically for this vast patrimony along with white youths?

A more general picture of the need of professiona training for Negroes in the South can be secured from this paragraph in the federal census report:

> In 1930 there was one Negro clergyman for every 475 Negro inhabitants, 1 college professor for every 5,541 inhabitants, one dentist for every 6,707 inhabitants, one lawyer 1or every 9,536 inhabitants, one musician or music instructor for every 1,124 inhabitants, one physician for every 3,125 inhabitants, one school teacher for every 218 inhabitants and one trained nurse for every 2,076 inhabitants.

There are some other figures compiled in the same book which go to show a dismal picture down in the deep South. Take Mississippi: The census report shows that the more than one million Negroes living in that state have only 6 lawyers, 29 dentists and 71 doctors. No wonder the same government figures show that in the United States the number of deaths of Negro children under one year of age, per 1000 Negro still births was 92.7 in 1931 and 99.5 in 1930 as compared with 56.7 and 59.6, respectively for white children.

Oklahoma can consider it a program in economy to provide a school of medicine and law for its Negro citizens. As for out-state scholarships we have only to point to a statement made last week by Prof. T. A. West, Tulsa. For the past three years this eminent educator has attended Cornell University. For two years Prof. West received $9.00 annually as student aid from the state department of education. Last year he secured a surprising raise. His educational stipend was $15.00.

LOUISIANANS GIVE VIEWS IN GAINES CASE

NEW ORLEANS, Feb. 9 — (ANP) — Varying comments and opinions of Louisiana educators and administrators were given this week in a state-wide canvass of "what do you think of the Gaines decision, and how will it affect Negro education in this state?" Two opposite opinions were given in letters from T. H. Harris, state superintendent of education, and Dr. William Stuart Nelson, president of Dillard University.

The provisions of the Gaines decision that prompted one or two of the southern states to sponsor legislation affecting the addition of graduate courses to their state-supported Negro schools is taken very lightly by the state superintendent, who be-

lieves that "no member of the Negro race should be admitted to any white school — elementary, secondary, college or professional."

Upholds Separate Systems

He upholds the provisions of the Louisiana state laws for separate systems of education for the Negro and white races in stating that "the two systems of education should be kept strictly separated — in line with the provisions of the law." It is noticeable that the Gaines decision outlaws the state law in that it holds states "must provide, within their borders, equal educational facilities for Negroes or admit them to state graduate schools."

Dr. Nelson supports the decision emphatically in the following expression: "It seems to me that the decision of the supreme court was imminently in the interest of justice and that it is only right that all of its implications should find the earliest possible expression in fact." He also favors the admission of Negroes to white universities — in that no graduate courses are offered at southern Negro schools.

With Louisiana presenting the poorest in educational facilities for its Negro citizens, it is very likely that enforcement of the Gaines decision will be a God-send. State-wide interest is being promulgated.

G. O. P. Leader Says Negroes Good As Japs

JEFFERSON CITY—O. B. Whitaker, white republican leader made a dramatic plea for the admittance of Negro students to the University of Missouri before the House of Representatives here this week on the grounds that it would be foolish and too expensive to further tax the citizens because of segregation.

Whitaker said:

"Why exclude the children of Negro citizens of the state when the school is open to Japanese?" asked Whitaker. "I would rather have children of mine associate with those who have been good citizens of Missouri than with Japanese who are being trained to slaughter innocent persons on the battlefields."

Whitaker argued that the expansion program at Lincoln would cost a large sum and that the expenditure would be uneconomical because of the comparative few that would apply for education there.

"I do not know of any good reason for this bill," he concluded. "We should answer the United States Supreme court's demands by admitting Negroes to our state university."

Claude Arnold, Stoddard County, and Guy Abney, Saline county, accused Whitaker of "making a demagogue's appeal for votes" and asserted that the attempt of the Negroes to enter the University of Missouri was a step toward racial equality.

The house of representatives ordered perfected a bill by John D. Taylor, Charlton County Democrat, to expand the state school for Negroes here to standards equal to those of the university.

Taylor's bill which also was opposed by a group of Kansas City Negroes in a hearing here two weeks ago, was offered to meet criticisms made by the United States Supreme court in a recent test case in which a Negro applied for admittance to the law school at the university. The court held that the state must admit Negro students until equal educational facilities were provided at Lincoln university, the state Negro school.

R. J. Murray, Morgan County Republican, said he believed Negro children had a right to receive instruction from Negro teachers.

"I favor equality in education," he added, "but believe that it should be furnished at Lincoln university."

Taylor asserted that the bill should not be made a political issue. He observed that most "native born Missouri Negroes" wanted Lincoln university expanded.

"Less than one-half of 1 per cent of the native born Negroes want members of their race admitted to the university at Columbia," he said. "Those who are attempting to gain equal rights on the campus have entered this state or have been sent here for the purpose of upsetting the established order of educational activities in Missouri."

Taylor said he would ask for an adequate appropriation for Lincoln university to enable the state to fulfill the obligation imposed by the Constitution as interpreted by the United States Supreme court.

When a voice vote was taken, only three or four voices were heard in support of Whitaker.

be admitted to University of Missouri. In his plea Rep. Whitaker stated that he would rather have his children associated with those who have made good citizens of Missouri than with Japanese who are being trained to slaughter persons on the battlefield.

Stem of the Taylor bill was the decision last Dec. 8 of the U. S. Supreme Court in the U. of Missouri-Lloyd Gaines case, which ruled that the state must either admit Gaines at U. of M. as a law student, or "provide equal facilities within the state" for Negro students. Rep. Taylor, said he would ask for an adequate appropriation for Lincoln to enable the state to comply the high court ruling.

Missouri to Comply with Decision

MISSOURI PASSES EDUCATION BILL TO COMPLY WITH SUPREME COURT RULING

Jefferson City, Mo., Mar. 13 (ANP) Missouri Democrats triumphed over GOP opposition in the State legislature last Monday when the house of representatives ordered perfected a bill by John D. Taylor, Chariton County Democrat, to expand facilities of Lincoln university, to equal the standards at the University of Missouri.

The bill was passed after a rallying plea to Democrats and luke-warm Republicans, but only after a brilliant appeal had been made by Rep. O. B. Whitaker, Hickory County GOP stalwart, that qualified Negro students

Nothing Will Happen When Negro Student Is Admitted to M. U.

By LUCILE BLUFORD

THOSE who fear trouble if a Negro student attends the University of Missouri may rest at ease—there will be no trouble, no violence of any kind.

That is the one significant thing that my attempt to enroll brought out.

After spending two hours on the M. U. campus as a prospective student, I am thoroughly convinced that the students are not perturbed over a Negro's entrance. I found the students no different from those at K. U. where I was a student for four years. Some are friendly, most of them indifferent, I found no animosity.

During all the time that I was on the campus, students passed me on the campus sidewalks, in the halls, on steps with hardly a glance. They paid no more attention to me than to any other new student enrolling for the first time. When I asked my way about the campus—looking for Jesse Hall, the registrar's office, the enrollment room—they answered my questions politely as if my being there was a matter of course.

STUDENT FLUSHED

Only one student flushed when he saw me. It was the young man who was handing out enrollment blanks at the door leading to the room in the university library where students enrolled. When he saw me approaching the journalism enrollment room, he fingered the enrollment blank, not knowing whether to give it to me or not. His embarrassment was relieved when I told him I wanted to see Dean Martin.

Dean Martin was very cordial. He said that he had received my transcript, that I had had enough journalism courses at K. U. to allow me to begin work on my master's degree. I could not enroll, however, without a permit to enroll which had to be obtained from the registrar's office. I was refused the permission to enroll.

I talked to several journalism students who are on the staff of the Missouri Student, official student publication. One of the students expressed surprise that I had been denied admittance. "Isn't that mandate here?" he asked.

A member of the journalism faculty said that the professors and instructors had no objection to teaching a Negro. "We are here to teach the students who come here," he said. "It makes no difference to us who they are."

"SOME SYSTEM"

A journalism student who is correspondent for a press service asked whether I worked for The Call. When I told him I did, he said, "It's the best weekly in the state." Surprised that he knew of The Call, I asked, "Do you read it?" He answered, "Of course."

Then he told me that he had heard that it was planned to keep the mandate away from Columbia for at least two years. "Some system, isn't it?" he commented.

After being "in the field" for five years, I think it time to "brush up" in my profession. That's why I planned to return to school. My logical choice is M. U.

Misosuri has the strongest school of journalism in the country. It was the first established in the United States. Students come from all over the world to study journalism in Missouri.

While I was waiting in the registrar's office, I saw students from many foreign countries receive their permits to enroll. There was one boy from Portugal who wanted to study journalism. He was admitted.

11 FOREIGN COUNTRIES

During the first semester of this year, Missouri U's student body had representatives from 11 foreign countries, all of the states in the union and every county in Missouri. There were nine students from Canada, six from China, five from Hawaii, four from Turkey, three from Porto Rico, two from Panama, two from Albania, one from Cuba, one from Cyprus, Mexico, and one from the Phillipine Islands. I am a resident of Missouri.

Missouri Leaders Urge That Negro Students Be Admitted To White State University

Demand that Taylor Bill to Expand Lincoln Univ. Be Killed in Legislature

Will Require Millions to Develop Parity

JEFFERSON CITY, Mo.—(ANP)—A new angle was given University of Missouri-Colored students controversy last Thursday when a delegation of prominent colored men and women urged the university committee of the Missouri House of Representatives to admit Negro students to M. U.

The delegation also asked the legislature to defeat a bill introduced by Representative John D. Taylor, white, of Charlton County, which would authorize and require expansion of Lincoln University, state school for Negroes, and bring Lincoln up to the same educational standard as the University of Missouri.

Sole member of the delegation to speak in favor of the Taylor bill was Thomas J. R. Wilson, assistant secretary of the state Negro survey commission appointed by Governor Stark. Wilson said he favored the bill because he believed Negroes needed educational training by members of their own race.

C. A. Franklin, publisher of the Kansas City Call, opposed the Taylor measure on the ground the project would require several million dollars, and several years to complete. In the meantime, he said, colored students should be admitted to the University of Missouri, and, once admitted, he believed they would be accepted by faculty, student body and the state, the same as in other states not having the dual educational system.

Attorney Carl R. Johnson, another delegation member, said Negroes generally doubt the good intentions of the legislature in the Taylor bill, declaring it was similar to the law passed in 1921, but not since enforced. He said the "battle has just begun," following the decision of U. S. Supreme Court in the University of Missouri-Lloyd Gaines case.

Other Kansas City leaders who spoke at the Capital hearing were Elmore Williams. Executive Secretary, local branch of the National Association for the Advancement of Colored People; L. Amasa Knox, formerly of the legislature, and Elsie Mountain, Y. W. C. A. worker.

Stem of the whole controversy is that part of the high court's decision in the Gaines case where it ruled that University of Missouri must either admit Gaines to the law school or provide for Negro students "equal educational facilities within the state." That momentous ruling was the greatest black-eye ever given the dual (Jim Crow) educational system of the South.

There is no unanimity of opinion, however, as to its immediate advantage to Negroes. Some observers, welcoming the possibility of more jobs for colored teachers, want the "equal facilities within the state" rule enforced, thus bringing the state-controlled Negro schools of the South up to the standard of white state schools.

Others, seeing an opportunity to improve race relations and pry loose the hated Jim Crow system of Southern states, want that part of the Supreme Court ruling enforced which orders the white state school to admit Negro students. Highly controversial, the two-sided question adds daily to its quota of supporters, the edge at present seeming to favor those who for reasons of "economic expediency" want "Negro teachers for Negro schools."

Discusses Story Of The Inevitable Mr. Lloyd Gaines

Says Split Opinion Exists Among Students

By LORETTA OWENS

"The Attitude of the Students of Missouri University Toward Colored Students Entering the University" was discussed Saturday afternoon at what proved to be the most enthusiastic and interesting meeting of the two-day session of the City-Wide Conference on Negro Welfare, held at Central Baptist Church.

Martin Umansky, Junior Editor of the "Missouri Student," the weekly campus publication, spoke before an audience which filled the assembly room saying:

Umansky's Speech

"This is more or less a ticklish situation, in that I am not a speech-maker. I have never done anything like this before, however, I console myself that you don't want a speech, in the first place, you want information. That is what I will attempt to give you.

"The Gaines situation, I guess you have followed it for the last several years and know how it was continued in court, what the Supreme Court did and the decision of the United States Supreme Court last year.

"Mr. Edward Macklin, editor of our paper, went around and received some opinions from the faculty advisors and students themselves, and missed his supper to write the editorial "The Inevitable Mr. Gaines," which gives pretty accurately the opinion of the University.

The Inevitable Mr. Gaines

"The Supreme Court's decision Monday may prove to be a pebble dropped into a calm pool. The pool measures nearly a score of states. At least, the total effect of the decision will be realized only as instances come up in the next few years.

"A report from the state capitol indicates the legislature may provide a law school for Negroes at Lincoln University. But what about Journalism? What about Engineering? Our University has the best in journalism. To what extent can the

legislature provide equal opportunity in journalism for the Negro? To what extent can it provide equal protection in education in any of the studies outside of those taught at Lincoln University.

"Here, then, we meet the question: Can Missouri provide for the Negro a University of the completeness of the state University? It is apparent the state will employ every trick in its hand to maintain its traditional policy of separation of the whites and Negroes in schools. At the same time it is fighting an uphill battle that measures as high as all of the states who allow the Negro to mix with the whites in educational institutions, American tradition of racial equality, and topping it all, the written constitution. The hill is steep, and rugged, and the fight looms as a losing battle.

"Of immediate importance to students is the possibility of Gaines occupying a seat in a Missouri University classroom. The law students were convinced Monday that Gaines would be 'treated like a dog'—if he entered. Outspoken students said they would not sit by a Negro in class. Stronger voices announced they would leave school, if Gaines were admitted. The logic of the latter statement is ridiculous. Where would they go? The Supreme Court decision holds for the nation; consequently, all southern schools will be forced to allow whites and Negroes to study in the same institution.

"In the trigger discussion, one caught the scent of Nazi anti-semitism, saw a race magnified in its role of an underdog. Lincoln University for the Negro. The Ghetto for the Jew. For, wherein is there a basic difference?

"The South has come to reconcile the Yankee; the war that tore them apart gave the Negro equality. The question was settled 75 years ago; the consequences have been long in arriving. While the sting is sharp, it will wear off. The Supreme Court decision is inevitable. The University knew when it went beyond the state's borders to uphold its tradition of racial segregation in education that it had a slim 50 to 1 chance of winning. And now we have the decision.

"We who are students will have no say as to what will be done about the Negro attending school, but it is we who will go to school with him. Few will have the money to come, and those who do will come for advanced education, and for the most part, will be a superior Negro.

"Our actions in accepting him will define our status as Americans. Our pilgrim, continental, Gettysburg tradition is freedom and racial equality for all. It is our cue to pioneer the nation out of this last frontier of racial prejudice and superstition."

Continuing he mentioned many letters of commendation received concerning that editorial.

Umansky was the object of a barrage of questions.

In answer to one question he stated the students, faculty and people of Boone County were peaceful and civilized and that any feeling against colored students which might exist would soon wear off and the time would come when Negro students would be received there as "just another college student." Mr. Umansky handled the question very diplomatically and to the satisfaction of the audience, so much so that at the conclusion vociferous applause followed him as he hurried away to catch his train.

Lenoir Speaks

Proceeding the principal speaker, Zaide D. Lenoir of Vashon High School addressed the assembly on the difference of the salaries of the rural white and colored teachers, the ratio of service in view of bus transportation and educational opportunities for the urban Negro.

Friday night Reverend C. M. Long, pastor of Central Baptist Church, made the welcome address, commented on the symposium theme "Our Stake in Democracy." Prof. Elmer Arndt, instructor in Sociology at Eden Seminary. Judge George L. Vaughn and Lloyd Gaines were among the speakers during the conference.

Resolutions

The young people took a very active part in the meeting, sponsored jointly by the St. Louis Negro Federation, St. Louis Negro Youth Federation and the City Association of Colored Women's Clubs. At the conclusion of the sessions Saturday evening, resolutions were adopted on housing, WPA, sharecroppers and reception officials of the organization said that the organizations registered in the conference represented 30,71[illegible].

Protest Missouri Legislature's Attempt To Dodge Supreme Court Decision In Lloyd Gaines Case

ST. LOUIS, Mo.—A determined effort on the part of the Missouri state legislature to get around the recent U. S. Supreme Court decision which opened the doors of the University of Missouri to Negroes was denounced here this week by Joseph L. McLemore, prominent attorney of this city, as an "insult to the two hundred thousand Negroes who make up a substantial part of the state's citizenry."

Mr. McLemore issued the statement in a letter to State Senator Michael Kinney, asking him to oppose the bill which appropriates $200,000 for the expansion of Lincoln University at Jefferson City. The money would be used to build graduate and professional schools for Lincoln, according to the bill, and thereby, presumably, equalize the educational facilities open to Negro and white citizens of the state, in accordance with the high court's decision.

Pointing out that the state of Missouri is embarking on a program that would "create a staggering tax burden and at the same time "fly directly in the teeth" of the court's decision, McLemore's letter said in part:

"The Negroes (and many who are of other races) resent this bill because it is a vain attempt to avoid the plain intent of the Supreme Court decision; because it will waste taxpayers money; because it is unworkalbe; because it is undemocratic and because it is the greatest insult to Negroes since the introduction of the bill many years ago to have separate railroad coaches in Missouri, which you did so much to defeat."

The high court's decision which was handed down in the now famous Gaines case December 12, 1938, was the 11th victory of the National Association for the Advancement of Colored People, before that tribunal. The plaintiff was Lloyd Gaines, a graduate of Lincoln University, who sought admission to the University of Missouri law school, and was denied registration solely on the ground of race.

The court's decision said in part:

"By the operation of the laws of Missouri a privilege has been created for white law students which is denied to Negroes by the reason of their race. The white resident is afforded legal education within the state; the Negro resident having the same qualifications is refused it there and must go outside the state to obtain it. That is a denial of the equality of legal right to the enjoyment of the privilege which the state has set up, and the provision for the payment of tuition fees in another states does not remove the discrimination."

The bill in the legislature also has been protested by a delegation of nineteen leading citizens of Kansas City, Missouri.

DISCRIMINATION- 1939 MISSOURI

Kansas Citian Sues for Work In Journalism

Miss Lucile Bluford Asks Court to Require M. U. Graduate School To Admit Her

COLUMBIA, Mo.—Twice denied admittance to the University of Missouri's graduate school for advanced study in journalism, solely because of her color, Miss Lucile Bluford, of Kansas City filed a mandamus suit against the university's registrar, S. W. Canada, here Friday, October 13.

Miss Bluford, managing editor of The Call, a Kansas City weekly, is asking the Boone county circuit court to issue a writ of mandamus requiring Mr. Canada to admit her at the next regular enrollment period.

The suit was filed by Attorneys Charles H. Houston of Washington, chief counsel for the N.A.A.C.P. who came to Missouri for that purpose; Sidney R. Redmond of St. Louis, president of the National Bar association; Henry D. Espy and John A. Davis, both of St. Louis.

Asks Admittance Again

Miss Bluford met the attorneys in Columbia Friday morning and after going to the University of Missouri campus once again to ask admittance to the school of journalism, Miss Bluford, accompanied by Attorneys Houston, Redmond and Davis and Mrs. Redmond, went to the office of the circuit court of Boone county where the petition for writ of mandamus was filed and given No. 35754 by F. G. Caldwell, deputy circuit clerk.

Judge W. M. Dinwiddie, the circuit judge, set October 24 as the date on which the preliminary hearing on the writ will be held. Judge Dinwiddie is the judge who denied the writ to Lloyd L. Gaines and whose decision was upheld by the Missouri supreme court but reversed by the United States Supreme court in the momentous Gaines decision last December.

Applied Twice

Miss Bluford, managing editor of The Call in Kansas City, has applied twice for admittance to the Missouri U. school of journalism, first at the beginning of the second semester of the academic year 1938-39 last February and again in September of this year. Each time she was denied admittance by S. W. Canada, the Missouri U. registrar, because of her race.

Her credits from the University of Kansas, where she received the B. A. degree in journalism, were accepted by the registrar and the dean of the journalism school before she appeared on the campus last winter.

In the mandamus petition filed Friday in the courtroom of Judge Walter Morris Dinwiddie at Columbia, Miss Bluford asserts that she is a resident and taxpayer of Kansas City and Missouri and that she desires to pursue graduate work in the school of journalism "for the purpose of becoming more proficient and advancing in her chosen profession of journalism, and increasing the quality and quantity of her service to the Kansas City Call, and through it to the citizens of Missouri."

Rejected Because Of Race

The petition goes on to tell how Registrar Canada accepted Miss Bluford's application for admission and the transcript of her college record and notified her by mail that her college record was sufficient to admit her to the graduate school of the University of Missouri and that he was referring the transcript to the dean of the school of journalism. The dean, in turn, checked Miss Bluford's transcript and found her K. U. record qualified her for admission to the graduate school in journalism. Registrar Canada told Miss Bluford to come to Columbia to register, but when she arrived prepared to pay the enrollment fees, Canada refused to admit her because of her race.

Miss Bluford first went to Columbia in February, two months after the United States supreme court handed down the famous Lloyd L. Gaines decision in which it was ruled that Missouri should admit Lloyd Gaines, St. Louis youth, to the University of Missouri law school in the absence of a state law school for Negroes.

The same principle applying to professional courses in journalism, medicine, pharmacy, engineering and other fields, Miss Bluford sought to attend Misouri U's school of journalism, the oldest school of journalism in the world.

L. U. Not Prepared

Since that time, a law school for Negroes has been established in St. Louis, but no provisions have been made at Lincoln university for Miss Bluford to take graduate work in journalism.

Lincoln university teaches no courses in journalism, and according to a letter Miss Bluford received from President Scruggs two weeks ago, the Lincoln U. board of curators decided at a recent meeting that the establishment of courses in journalism must await time for study by the president and faculty.

The school of journalism, therefore, is the only place within the state where Miss Bluford can obtain graduate study in journalism. Lincoln university has neither the physical plant, the faculty nor other resources to offer graduate courses in journalism, the petition states.

In her petition, Miss Bluford asks the court to issue her a writ of mandamus requiring the University of Missouri to permit her to register in the graduate school of the University of Missouri for graduate work in journalism upon her payment of the lawful uniform fees and meeting the uniform requirements.

In addition to the mandamus action, Miss Bluford's attorneys are planning to file a civil rights damage suit against Registrar Canada in the federal court at Jefferson City. In this action, the Kansas Citian will be represented by Attorneys Carl R. Johnson, James H. Herbert, Charles H. Calloway, L. Amasa Knox, all of Kansas City, and by Attorneys Houston and Redmond.

WHERE IS LLOYD GAINES?

Why is it impossible for the lawyers handling Lloyd Gaines' case against the University of Missiuri to find ANY TRACE of the young man?

Why is it that even the young man's MOTHER has received no word from him?

These questions are being asked by colored people in all parts of the country who are interested in the EDUCATIONAL EQUALITY fight.

If Lloyd Gaines is alive and free, it is VERY STRANGE that he should DISAPPEAR without a word to ANYBODY.

If he is alive and free, WHAT has caused or induced him to conceal his whereabouts?

It is significant that the lawyer representing the State of Missouri in the celebrated case says THE CASE MAY BE DISMISSED if Gaines cannot be found.

Naturally, with the recent U. S. Supreme Court decision staring it in the face, Missouri would be HIGHLY PLEASED to have the case dismissed.

Any delay will be WELCOME until the makeshift Lincoln University Law School gets going, thus enabling Missouri to continue for some time longer its unequal JIM CROW SYSTEM of public education.

Young Lloyd Gaines is therefore the KEY FIGURE in the case.

The N.A.A.C.P. lawyers are eager to find Lloyd Gaines but the lawyers for the State of Missouri obviously do NOT want him found.

Has this desire of Missouri ANYTHING to do with the disappearance of Lloyd Gaines?

If he is VOLUNTARILY in hiding, is it possible that someone is making his disappearance FINANCIALLY WORTHWHILE?

If he is held somewhere against his will, WHO IS RESPONSIBLE for that?

The surmise will not down that there is something very MYSTERIOUS and EVEN SINISTER about the disappearance of Lloyd Gaines.

We MAY be wrong, and we HOPE we are.

Lloyd Gaines MAY turn up any day with a PLAUSIBLE explanation of his long absence.

But there is SO MUCH involved in this case, that we are frankly NOT optimistic about Mr. Gaines' return until AFTER the separate law school is well established.

Nevertheless, we would advise the Missouri officials NOT TO BE TOO PLEASED by the failure of the young man to show up.

Lloyd Gaines is not the ONLY young Negro in Missouri seeking GRADUATE TRAINING.

There are scores of others WILLING to take his place and CONTINUE the fight for educational equality.

Already Miss Lucille Bluford is legally hammering on the doors of Missouri's excellent Graduate School of Journalism, having been barred after qualifying for admittance.

Missouri will soon be confronted with the necessity

of establishing a SEPARATE SCHOOL OF JOURNALISM in an effort to keep Negroes out of the established institution.

This process will go on and on until Lincoln University is the EQUAL of the University of Missouri, and the state will have the NEEDLESS EXPENSE of supporting two universities where ONE would suffice just because a minority of Negrophobic white folks in positions of power insist on illogical and vicious jim crowism.

We hope they realize that they are in for a LONG FIGHT.

We hope they understand the TEMPER of the Missouri Negroes and those of the country who are backing the case through the N.A.A.C.P.

KEEPING UP THE FIGHT

We are pleased to note that Miss Lucille Bluford of Kansas City, Missouri, a graduate of the University of Kansas, has filed a suit to enter the School of Journalism at the U. of Missouri. She is taking the same course which was taken by Lloyd Gaines when he filed suit to enter the School of Law at the University of Missouri more than three years ago. Of course, since the state has found that it's quite expensive to go through all the courts and then have the added expense of providing separate schools for those desiring to take graduate work, it may be that Miss Bluford will be admitted to the School of Journalism at Columbia without going thru all of the proceedings which characterized the Gaines case.

The filing of this suit by Miss Bluford was not intended to harass the officials of the University of Missouri, nor necessarily to annoy the officials of the state. This young woman in her petition is asking only for that to which she is justly entitled as a citizen of the state, because members of our race have already and too long been denied the opportunity to receive the same education at the expense of the state as that given all other races. The doors of opportunity to receive a higher education have been barred to the youth of our race for lo, these many years, and quite naturally, in the course of human events some one would knock at the doors and demand admission. Lloyd Gaines knocked at the door of the School of Law and the state appropriated $200,000 to set up a Law School for him. Miss Bluford is now knocking at the door of the School of Journalism. It will be opened to her. There will be others who will knock at the doors of the schools of medicine, pharmacy, engineering, etc., and according to the decree of the United States Supreme Court, these too must be opened to the Negro youth of this state.

The fight must be continued. We should fight for every right to which we are entitled, particularly in the schools of this state, because the 'cross of ignorance' is already heavy upon our shoulders and we cannot make the progress we should while bearing this burden. Therefore, we say, awake! Let us unite our forces and gird ourselves, not merely for a skirmish or a battle, but for a war. Customs, habits and traditions of any people are not changed over night, but we can help to bring about these changes in a shorter time if we can work together.

If we would get the maximum benefit, or the approximate maximum benefit of our efforts to bring about better conditions for our group, let us have a little more patience and try more religiously to understand each other. Some one has said that ninety per cent of our racial differences, especially on important matters, is a lack of understanding. That being the case, we repeat, let us try to understand each other.

REP. LOWRY HITS PRACTICE SENDING NEGRO STUDENTS TO OTHER STATE SCHOOLS

State Legislator Says Provide for Colored Scholar Here and Not Send Him Away to The Neighbors Like "Poor Relation"

ST. LOUIS, Mo. — (Special) — State Representative Fran: A Lowry of Cape Girardeau, told an audience of about 250 persons last M. E. Zion church, in St. Louis.

"Negro in Missouri and do something with his education since we have taken his taxes and not given him equal rights, and not send him away to other staets like a poor relation."

Lowry was the principal speaker at a mass meeting sponsored by the Colored Clerk Circle where there was a lively discussion on "Why We Oppose the Poro Jim-Crow Law School."

"An issue is never settled by evasion nor through prejudiced views," Lowry said. "The education of Missouri Negroes is a problem for Missourians to settle."

Representative Lowry, a Republican, who fought the Taylor bill on the floor of the house of representatives last winter, expressed his views on the bill which set up the Lincoln U. law school thus:

"Here is the trouble with this law. It looks all right, the board has been given plenty of authority. But a school is good or bad according to apropriations made to support it. The authority vested in the board is completely limited to the extent of appropriations. The appropriations, in this instance, were insufficient to support a law school equivalent to Missouri university and that was the mandate of the Gaines case."

A law school has to have students, and instructors, and law books, and many other things to make it good. I doubt if more than 10 or 12 members of your race can finance a complete law course There will be more than that start but as the years go by some will drop out due to the cost and then there is the matter of instuctors.

"Good ones cost more than poor ones and to have eventually a school with a few second-hand books, a dozen or so students and some underpaid instructors, will, in my opinion, not be a school equivalent to the law school of Missouri university. As time goes on and the light of public opinion is thrown on this bill, its effect is studied, its cost is analyzed together with the results it has shown, the bill will appear to all persons to be just what I said it was, a subterfuge by my Democratic friends to evade the Gaines decision. As nothing lasting in benefit can ever be accomplished by subterfuge, nor reasoned by prejudiced minds, neither the white nor the colored race will benefit from this bill."

Lowry briefly reviewed the rapid strides the Negro has made in business, education, science, etc., complimented the race for the achievement by pronouncing the advancement "phenomina."

Lowry also took the oportunity to speak for his party which he said had been deserted by Negroes in the elections of 1932 and 1936. He branded the going to the Democratic party as a move backward instead of forward pointing out that the most consistent gains had been made under Republican administrations.

In conclusion, Lowry stated: "We have one big country here, where white, red, black and yellow people can live in peace together under one law. I appeal to you people to help us keep it that way, for only under such a government can humanity survive and Christianity exist. Special laws, class hatreds and distinctions are behind the present European conflict. I appeal to you to show the people of Missouri that tolerance is something to practice as well as preach."

Negro Student, Sues Missouri "U" Registrar

Asks $20,000 Damages; Denied Admittance To School

JEFFERSON CITY, Mo., Nov. 9—(By C. E. Chapman for ANP)—Determined to bring to bear every legal influence in an effort to safeguard her right to an opportunity for equality of education "within the state" as decreed by the mandate of the United States supreme court in the Lloyd Gaines case Miss Lucille Bluford, managing editor of The Kansas City Call, filed suit here Friday against the registrar of the University of Missouri, S. W. Canada, for damages in the sum of $20,000.

Miss Bluford asks, through her counsel, that she be given the opportunity to pursue journalism at the University of Missouri and sets forth that she has been "illegally barred" from the institution by S. W. Canada who is the proper and legal official of the school whose duty it is to admit her.

Miss Bluford is the second Negro to challenge through the courts the long and time-honored "ancient policy" of the dual or "separate" system of education for white and Negro peoples. The suit was filed by her attorneys, Sidney R. Redmond, St. Louis, L. Amasa Knox, Chas. H. Calloway, James H. Herbert, Carl R. Johnson, of Kansas City, and Charles H. Houston, chief counsel of the NAACP, Washington D. C.

"Illegally Barred" From University

Journalist Files Suit In Federal Court

By C. E. CHAPMAN

JEFFERSON CITY, Mo.—(ANP)—Determined to bring to bear every legal influence in an effort to safeguard her right to an opportunity for equality of education "within the state" as decreed by the mandate of the United States Supreme Court in the Lloyd Gaines case, Miss Lucile Bluford, managing editor of The Kansas City Call, filed suit here Friday against the registrar of the University of Missouri, S. W. Canada, for damages in the sum of $20,000.

The Kansas City young woman, an honor graduate of the school of journalism of the University of Kansas in the class of 1932, has twice been denied admittance to the graduate school of journalism in the University of Missouri at Columbia.

Miss Bluford asks, through her counsel, that she be given the opportunity to pursue journalism at the University of Missouri and sets forth that she has been "illegally barred" from the institution by S. W. Canada who is the proper and legal official of the school whose duty it is to admit her.

DENIED ADMISSION

Miss Bluford's first attempt to enter the University was made Monday, January 30, 1939, she says. At that time a transcript of her undergraduate work had been forwarded to the registrar and had been accepted, and a letter from registrar Canada was sent Miss Bluford advising her to present herself at the university at the beginning of the second semester. She complied with this request after giving up her position with the Kansas City Call, having taken "a leave of absence."

She presented herself for admittance, but was refused. Canada told her the Gaines case "had not been settled as yet." She was advised to wait the final outcome.

Again in September, Miss Bluford sought to enter the school and was again denied admittance which she claims was "illegal." On this occasion Miss Bluford was advised by Canada that it was the responsibility of Lincoln university here in Jefferson City to provide educational opportunities in journalism.

NO SCHOOL AT LINCOLN

Having been thus advised, Miss Bluford came to Jefferson City that day and sought to enter the school of journalism at Lincoln University. President Sherman D. Scruggs informed Miss Bluford that Lincoln University had no school of journalism.

Thereupon she wired Canada that Lincoln University had no school of journalism and asked him to reconsider his refusal to admit her to Missouri University. She also wired President Middlebush of the University of Missouri of the situation at Lincoln as well as about having been refused admittance by by Canada.

She asked President Middlebush to have Canada reconsider and admit her. She also wired Frank McDavid, president of the board of curators of the University of Missouri, to the same effect. Neither President Middlebush nor McDavid replied.

Canada replied by wire that same day and stated: "I have no authority to admit you." The telegram was sent from Jefferson City to Canada as were the telegrams to Middlebush and McDavid. Upon returning to Kansas City late that evening, the telegram from Canada above quoted was awaiting her.

LOSS OF EARNINGS

In her suit Miss Bluford asks $10,000 in each of the two counts wherein she specifically charges she was "illegally barred" solely on a basis of race and color. Her petition sets forth that she has been and still is "greatly humiliated," and has suffered "mental anguish and loss of earning powers and efficiency in her newspaper work" through having been "illegally barred" and refused opportunity to exercise her constitutional right to pursue graduate work in journalism in the school of journalism in the University of Missouri.

Miss Bluford is the second Negro to challenge through the courts the long and time honored "ancient policy" of the dual or "separate" system of education for white and Negro peoples. The suit was filed here Friday by her attorneys, Sidney R. Redmond, St. Louis, L. Amasa Knox, Charles H. Calloway, James H. Herbert, Carl R. Johnson, of Kansas City, and Charles H. Houston, chief counsel of the N. A. A. C. P., Washington, D. C.

Found to be Colored, Woman Taken to Hospital Basement

COLUMBIA, Mo. — Although she was critically injured, Mrs. Mattie L. Cooper, of St. Louis, was transferred from an upstairs room to the basement in the Boone County Hospital when it was discovered she was colored instead of white.

Mrs. Cooper, widow of the late Det. Lieut. Ira Cooper, of the St. Louis detective bureau, was injured in a head-on crash near this city, November 7, J. F. Hanstein, district passenger agent for the Cheaspeake and Ohio railroad, was killed in the crash.

Supported by Taxes

Mrs. Cooper was taken to a cheery upstairs room in the hospital, which is supported by public taxes. Soon, however, word was received that she was not white and, despite the fact she was still unconscious, was shunted down into the basement. Appeals of friends to have Mrs. Cooper moved to a better room on one of the upper floors fell on deaf ears.

WASHINGTUN U. STUDENTS FAVOR EQUAL EDUCATION

A constitutional amendment "That Negroes be admitted to all State Universities chartered before 1935 will be offered by three Washington University students in attendance at the Student Legislative Assembly at Washburn College in Topeka, Kansas Dec. 7-9. There are about 150 student representatives of about 32 midwestern colleges and universities present at the meeting. National politics and problems pertaining to students are discussed and dealt with.

The Washington U. representatives are Fred Haffner, 20 years old, senior honor student; Robert Cummins, 18, sophomore prelegal student; and Lester Gross, 21, freshman law student, and debate manager. The group is interested in the promotion of Civil Liberties as guaranteed by the Constitution.

In cognizance of the Gaine's decision in the Missouri University case, the Washington U. representatives advocated equal educational opportunities for Negroes in hopes of moulding stronger sentiment in its favor among the large gathering of college representatives. It was felt that their action will give an accurate view of the feelings of the students of the mid-western states and offer an excellent impetus for a movement which should become national in scope.

The assembly is a model of the National House of Representatives and gives due regard and recognition to the political preferences of the representatives. All measures passed by the assembly are signed and sent to the president of the U. S. and congressmen.

Washington U. Students to Introduce Equal Rights Bill



FRED HAFFNER
Sr. Honor Student

Washington U. Students who attended the Students Legislative assembly of representatives of 32 mid-western Colleges at Washburn College in Topeka, Kansas. They offered a bill "That Negroes be admitted to all State Universities chartered before 1935.



LESTER GROSS
Law School Freshman

Gee Gee James Refuses To Bow To St. Louis Jim-Crow

Actress Sees Part of Show at Club Plantation, Bu Not Through Kitchen Door.

ST. LOUIS, Dec. 7.—Gee Gee James, that charming actress who has been received in millions of American homes via the air waves and who is scoring success after success as Clementine in "No Time for Comedy," starring Katherine Cornell and Francis Lederer, just can't quite get used to prejudice and jim crowism.

As a result, during her stay in St. Louis the week of Nov. 26-Dec. 2 at the American theatre, she found herself unable to accept invitations of Tony Scarpelli, genial manager of the ofay Club Plantation to be his guest and witness the star-studded show produced by Joe "Little Ziggie" Johnson. The invitation, first extended when she and Tony were guests of the Jones Brothers in Chicago, while the play appeared in the Windy City, was renewed when she got here.

However, Gee Gee just couldn't see why she should be forced to use the rear door, which leads directly into the kitchen and into the shows' dressing rooms beyond and thence into the club proper, instead of the front entrance although once having used the back door she might be permitted to view the show on the inside.

"I simply can't get accustomed to this thing called prejudice," Miss James commented. "I don't think that I'll poison anyone by being in the same room with them."

Gee Gee did see part of the Club Plantation show but it wasn't at the Club Plantation. It was at the West End Waiters Club, a few blocks from the Club Plantation, when the floor show, directed by Little Ziggie, appeared in an abbreviated form for its initial presentation as a between-show double-up.

Mo. U. Officials Ask Dismissal Of Suit

argus St. Louis Mo.

12-1-39

A motion to dismiss the Lucille Bluford suit against the registrar of the University of Mo., for refusing her application for admission to the School of Journalism was filed by S. W. Canada in the U. S. District Court in Jefferson City Monday.

Dodges Issue

The petition filed by Canada's lawyers, contends that the relief is with Lincoln University. They claimed that the Legislature appropriated money for the establishment of a school of journalism at Lincoln U. and that Miss Bluford by applying there can demand that the Curators admit her.

By various appropriation acts there has been appropriated for Lincoln U. the total sum of $5,034,653.49 from 1921 to 1939 including $200,000 for use of the Curators to employ additional teachers and purchasing necessary equipment for opening new departments in Lincoln, the petition sets forth. This makes it mandatory for the Curators to establish a graduate course in journalism equal to the one in Missouri U., it contends.

It further contends that it is no part of the duty of defendant or the Board of Curators of the Univ. of Mo., to provide for Negroes the facilities and opportunity for education in journalism or any other course. The equal protection clause of the 14th Amendment to the Constitution of the United States guarantees to persons within the jurisdiction of the state of Missouri (including plaintiff and other Negroes merely substantial equality and not identity of educational facilities." the petition states.

Redmond Sees Weakness

Atty. Sidney R. Redmond, one of the lawyers representing Miss Bluford through the NAACP, regards the argument of the plaintiff as unsound, as Miss Bluford applied at Lincoln U. for Journalism after being refused admission to the U. of Missouri and was informed that there were no provisions there for a graduate course in journalism. Thus the mandate of the U. S. Supreme Court ordering that a graduate student be provided with educational facilities at Missouri U., or its equivalent at Lincoln U., is ignored

Woman Editor Barred Again By Missouri Journalism School

COLUMBIA, Mo. — The University of Missouri refused a second time to admit a Negro to its school of journalism when the application of Miss Lucile Bluford of Kansas City was turned down when she appeared on the campus to enroll Thursday, Sept. 14.

The excuse of Registrar S. W. Canada was that it was the responsibility of Lincoln University, Jefferson City, to provide graduate work in journalism for Miss Bluford. Lincoln University, however, does not offer even undergraduate courses in journalism. When told that there was no place other than Missouri University where graduate work was offered, Registrar Canada still refused to admit Miss Bluford.



MISS BLUFORD

Miss Bluford, managing editor of The Call in Kansas City, first applied for admittance to Missouri University's journalism school last February, a few weeks after the United States Supreme Court handed down the famous Gaines Case decision ordering the State of Missouri to admit Lloyd Gaines of St. Louis to the Missouri University law school in the absence of a state-provided law school for him to attend.

CREDITS ACCEPTED

Before Miss Bluford appeared upon the Missouri University campus last winter, her credits from the University of Kansas, where she received her A.B. degree in journalism, had been accepted. Canada said he accepted the credits before he knew that Miss Bluford was a Negro.

In February, Miss Bluford was told that the Gaines case was not definitely settled and that until its final disposition she would not be admitted. Canada said that perhaps the case would be settled by September.

Since that time, the Missouri supreme court has reversed its original opinion to comply with the U. S. Supreme Court decision. Thinking that this procedure opened the way for her to begin her graduate work at M. U., Miss Bluford applied again.

When Registrar Canada refused to admit her, Miss Bluford appealed by wire to President Frederick A. Middlebush and to the board of curators of Missouri University, but to no avail. Neither answered her wires.

From Columbia, Miss Bluford, accompanied by Attorney Sidney R. Redmond, Gaines case counsel, and Attorney John Davis, both of St. Louis, went to Jefferson City for an interview with President Sherman D. Scruggs of Lincoln U., to ascertain what provisions had been made to offer graduate journalism work.

CLASSES ALREADY BEGUN

It was learned that no courses in journalism are offered at Lincoln University and that no provisions have been made. President Scruggs said that the matter would be taken up with the board of curators at its September 30 meeting. In the meantime classes have begun both at Missouri University and at Lincoln University and no provision has been made to offer graduate work in journalism or any other profession except law.

The "subterfuge" law school, created for Lloyd Gaines after the supreme court decision last December, was scheduled to open Wednesday, September 20.

MO. UNIV. EVADES RULING

Sends Applicant to Lincoln But It Has None

COLUMBIA—(ANP)—The University of Missouri refused a second time to admit a Negro to its school of journalism when the application of Miss Lucile Bluford of Kansas City was turned down when she appeared on the campus ready to enroll Thursday, Sept. 14, the regular enrollment day for the fall semester.

The excuse of Registrar S. W. Canada, who turned down the application, was that it was the responsibility of Lincoln University, Jefferson City, to provide graduate work in journalism for Miss Bluford. Lincoln U, however, offers no course in journalism, not even undergraduate work. When told that there is no place other than Missouri U where graduate journalism work is offered in the state of Missouri, Canada still refused to admit the young woman.

Application Accepted

Miss Bluford, managing editor of the Call in Kansas City, first applied for admittance to Missouri University's famous school of journalism last February, a few weeks after the U. S. Supreme Court handed down its famous Gaines case decision ordering the state of Missouri to admit Lloyd Gaines of St. Louis to the M. U. law school in the absence of a state-provided law school for Negroes.

Before Miss Bluford appeared upon the M. U. campus last winter, her credits from the University of Kansas, where she received her A. B. degree in journalism, had been accepted. Canada said he accepted the credits before he knew that Miss Bluford was a Negro.

In February, Miss Bluford was told that the Gaines case was not definitely settled, and that until final disposition of the case, she would be denied admittance. Canada said that perhaps the case would be settled by September.

Last spring a hearing was held before the Missouri supreme court which reversed its original opinion to comply with the U. S. Supreme Court decision. Thinking that the last technical procedure had been taken and that the way was opened for her to begin her graduate work at M. U.. Miss Bluford applied again.

When Registrar Canada refused to admit her Thursday, Miss Bluford appealed by wire to President Frederick A. Middlebush of Missouri U. and to the M. U. board of curators, but to no avail. Neither wire was answered.

Attorneys Intercede

From Columbia, Miss Bluford, accompanied by Atty. Sidney R. Redmond, famous Gaines case counsel, and Atty. John Davis, both of St. Louis, went to Jefferson City for an interview with President Sherman D. Scruggs of Lincoln U to ascertain what provisions the state has made for graduate work in journalism. It was learned that no courses in journalism are offered at Lincoln. and that no provisions have

INCLUSION OF NEGRO PUSHED BY N.A.A.C.P.

St. Louis N. A. A. C. P. Told No New Units Planned For Missouri

ST. LOUIS, Mo. — (Special) — No new units have been planned in the announced increase in personnel in the National Guard, according to a letter received by Attorney Sidney R. Redmond, president of the N.A.A.C.P., who wrote a leter to Brigadier General Lewis W. Means following release of information that additional men would be enlisted.

The full text of the letter sent to Redmond reads:

State of Missouri,
Adjutant General's Office,
Jefferson City, Mo.
September 29, 1939.

Mr. S. R. Redmond, President,
Nat'l Ass'n for the Advancement of Colored People,
11 N. Jefferson St., St. Louis, Mo.

Dear Sir:

This will acknowledge receipt of your letter of September 28, in regard to service in the National Guard for members of your race.

Allotment to Missouri was for increase in personnel of the present organized units, and no allotment was made to Missouri for new units. I hope for the sake of your people that some day additional allotment will be made to Missouri, and that among them may be authority for units of the colored race.

Yours very truly,
(Signed) LEWIS M. MEANS
Brig. Gen. Mo. N. G.

The text of the letter forwarded by Redmond reads:

11 North Jefferson,
September 28, 1939.

Adjutant General Means,
State Capitol,
Jefferson City, Mo.

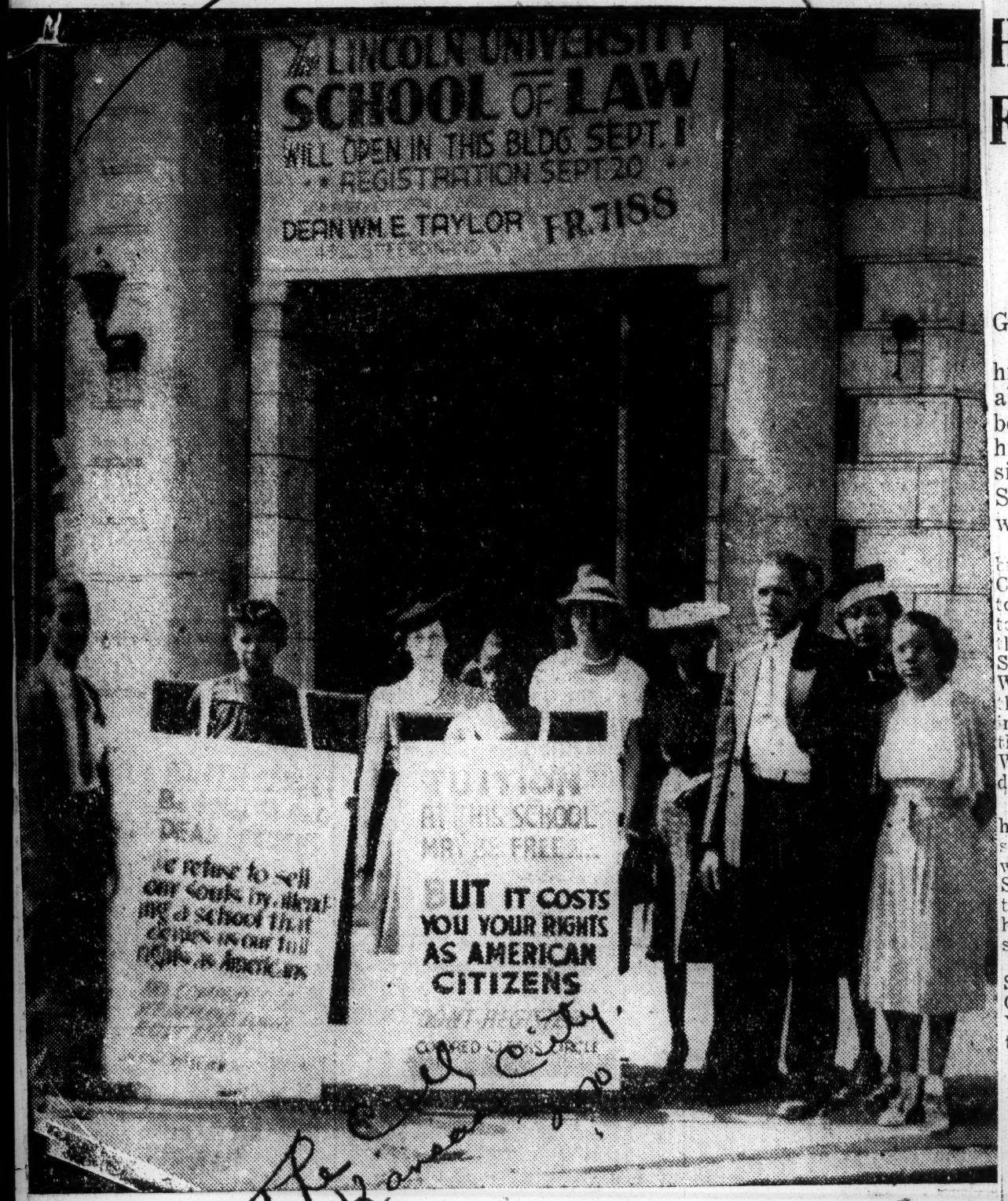
Dear Adjutant General Means:

Sometime ago you expressed a desire to cooperate with Negroes in becoming members of the National Guard. I noticed in the local papers that you are going to enlist something like 200 men from St. Louis and we beg to take this means of asking you if the applications of Negroes will receive favorable attention.

Thanking you for your prompt attention to the matter, we are

Respectfully yours,
N. A. A. C. P.,
S. R. REDMOND, President

. . Picket New Law School . . .



Here are the pickets of the Colored Clerk Circle as they began their protest against the Lincoln university law school which opened in the Poro building in St. Louis on Sept. 20. Frank M. Jones, president of the circle, said the pickets would stay there until Negroes were admitted to the University of Missouri or were given adequate schools.—Davenport.

Lloyd Gaines Has Vanished From Missouri

Nation-Wide Hunt Now on for Youth In Law School Case

ST. LOUIS, Mo.—Lloyd Gaines has disappeared!

Neither his attorneys nor his family knows the whereabouts of the youth in whom behalf the N.A.A.C.P. took his case against the University of Missouri to the United States Supreme Court and won it.

Gaines' disappearance was brought to light last week when Charles H. Houston, of Washington, chief N.A.A.C.P. counsel, came to Missouri to take depositions at the new Lincoln University Law School in the Poro Building here. While William L. Taylor, dean of the new law school, and the three instructors were being questioned, the absence of Gaines was noticed. When his name was called for a deposition, he failed to answer.

His mother, Mrs. Callie Gaines, has not heard from her son since spring. She is said to be frantic with anxiety. Sidney R. Redmond, St. Louis lawyer who was Houston's co-counsel in the Gaines case, has not heard from him since spring.

Somebody at the law school in St. Louis received a postcard from Gaines this summer, sent from Ypsilanti or Ann Arbor, Mich., but the card has been misplaced and the return address lost. It is believed that Gaines is somewhere in Michigan or Illinois.

Mr. Houston has asked the nation's press to help locate Gaines, who started the educational "rumpus" in Missouri.

Any person knowing the whereabouts of Gaines or who has any indication of where he might be, is asked to contact Sidney R. Redmond, Peoples Finance Building, 11 North Jefferson Street, St. Louis, Mo.

Gaines's presence is desired at a hearing to be held in the Boone County circuit court to determine whether the new law school in the Poro Building is the equal of the law school at the University of Missouri. This hearing had been set for October 7, but the absence of Gaines caused a delay.

In the meantime, the Colored Clerks' Circle, an organization of clerks in various stores, is still picketing the law school, the signs carried by the pickets calling the school a subterfuge. Pickets also are around the home of Frank L. Williams, principal of the Vashon High School, who is a member of the Lincoln U. board of curators. "Were you, Mr. Williams, the ninth person to vote for this jim-crow school?" it asks.

The depositions taken at the Poro law school will be used when the hearing on the law school is held in the circuit court.

Publicity releases from the Lincoln U. law school say that 30 students still are enrolled in the school, but unofficial reports say that the number has been reduced to 18 since the picketing began.



LLOYD GAINES

Themes & Variations • *By Gamewell Valentine*

The Lloyd Gaines Case

To every thing there is a season and a time to every purpose under the heaven: . . . a time to break down, and a time to build up.—Ecclesiastes 3:1-3.

Briefly for readers who may not know, the Lloyd Gaines Case refers to a young colored man, Lloyd Gaines of St. Louis, Mo., who was denied admission to the law school of the University of Missouri. The university is supported by public funds and is, theoretically, for all students who live in the state. Gaines was kept out because he was a Negro.



VALENTINE

He knew that the fourteenth amendment to the United States Constitution says that "No state shall . . . deny to any person within its jurisdiction the equal protection of the law." Hence he made a case against the state, which was carried to the state supreme court.

This court ruled in favor of the university. Gaines then carried his case, with the backing of the National Association for the Advancement of Colored People, to the highest court in this country, the United States Supreme Court, which court ruled that the state of Missouri must allow Gaines to enroll in the university or build a similar institution for Negroes, equal to the school which now only admits whites.

Since the winning of this victory, there followed a flood of editorial opinions from nearly every white as well as colored newspaper throughout the country. And the opinions are as varied as the number of newspapers which commented upon the case in question.

THERE'S A SEASON

This column has no opinion except those based upon the teachings of the Bible. It was stated hereinlast week that man's opinions were futile in solving human problems. That all solutions to all human problems had already been placed at man's disposal.

The Lloyd Gaines case is certainly a case which comes under the head of "human problems." Therefore, the answer for its perfect solution, or whether or not it has a solution, will be found in the Bible.

We want nothing but the truth, rather than what may sound good, smart and militant in this case. And the truth very often hurts. The truth is light; it uncovers and brings what is in the dark out into the open Advice should be sound, and if not sound, it is better to keep silent. Much unsound advice has been written about this case; about what Gaines should do; about what shall be done; about what other southern states are compelled to do and the like. If you want to know just what is going to happen, wait and see. Or, you can go to your Bible for the answer.

Let's compile the following truths: Shylock, that stingy and exacting Jew, portrayed in Shakespeare's "Merchant of Venice," was justly due his pound of flesh, according to the contract. But he couldn't collect.

The NAACP is a professed legal and fighting organization, which honestly lives up to its claims. It fights with the law, according to the laws of our country.

American law has too often favored the white race, the richer client and the smartest lawyer, rather than justice. The same smart lawyer who wins a case for the plaintiff, could turn-about-face and win the same case in favor of defendant. This brings us to the Biblical precept: For all they that take the sword shall perish with the sword . . . . This can be paraphrased, since the same things that are equal are equal to each other, to read, "For all they that take the law shall perish with the law."

THE CHURCHES

In our assembling of truths, the church can not be left out. The so-called "church" wants to be looked upon as the greatest force in the world for good. Its preachers will harp and swoon over LOVE and the "brotherhood of man." There are too many churches of too many various creeds and beliefs. There is only ONE church, which Jesus founded. Well, are the churches a great force for good? Just the opposite. AND THIS IS THE ROOT OF THE TROUBLE.

Mike Jacobs never objects to Joe Louis fighting a white man, and I doubt if he ever talks about Jesus. S. Hurok, white impresario of Marion Anderson, did not let her color keep him from presenting her to American and European audiences. The white gamblers and drunkards will gamble or drink with black men; they don't care. And all of the men in these fields, sports, music and vice, don't belong to the church, but they have LOVE for each other.

But the educated white man, the high churchmen, bishops and the like, will raise hell itself if a Negro wants to even sit in the same classroom or church with him. Are the churches a power for good? Don't make me laugh.

It is the university professor and the college students who despise their black brother, and not the unlettered nor the sinners. Our senators, congressmen, governors, and most government officials are church folk. Can't you see the TRUTH? Will we remain forever BLIND to the TRUTH?

DON'T TRUST GOD

I know that many readers are expecting me to say that Gaines and the NAACP and the race should "trust in the Lord." Well, you're mistaken. They better not trust in the Lord, but fight or do something before it is too late. The reason the race can't trust in the Lord is the same reason I can't trust in Mr. Rockefeller.

At present I could use a hundred dollars, but it would be useless for me to trust Mr. Rockefeller for a hundred dollars. I am not his son, neither did he promise to pay my bills. Yet, he has millions. Can you figure it out why the race can't trust in the Lord?

The answer to the Lloyd Gaines case is in this column. Though in jig-saw fashion, every piece to the whole truth has been given. Put it together.

Missouri Passes Education Bill to Comply With U. S. Court Ruling in Gaines Case

Legislation Enacted Following Brilliant Plea of GOP Solon to Admit Negroes to White School

Says Negroes Better Than Japanese

JEFFERSON CITY, Mo.—(ANP)—Missouri Democrats triumphed over GOP opposition in the state legislature last Monday when the house of representatives ordered perfected a bill by John D. Taylor, Charlton county Democrat, to expand facilities of Lincoln university, state school for Negroes, to equal the standards at the University of Missouri.

The bill was passed after a rallying plea to Democrats and luke-warm Republicans, but only after a brilliant appeal had been made by Rep. O. B. Whitaker, Hickory county GOP stalwart, that qualified Negro students be admitted to University of Missouri.

Declared Stalwart Whitaker: "Why exclude the children of Negro citizens of the state when the school is open to Japanese? I would rather have the children of mine associate with those who have made good citizens of Missouri than with Japanese who are being trained to slaughter persons on the battlefield.

"I do not know of any good reason for this bill. We should answer the United States supreme court's demands by admitting Negroes to our state university." The intrepid solon argued that the expansion program at Lincoln university would be costly, that the expenditure would not be economical because of the relatively small number who would apply there for advanced education. However, when a voice vote was taken, only three or four representatives were heard in support of Whittaker.

Stem of the Taylor bill was the decision last Dec. 8 of the U. S. supreme court in the U. of Missouri-Lloyd Gaines case, which ruled that the state must either admit Gaines at U. of M. as a law student, or "provide equal facilities within the state" for Negro students. Rep. Taylor, the bill's author, said he would ask for an adequate appropriation for Lincoln to enable the state to comply the high court ruling. The bill was given stiff opposition a fortnight ago by a delegation of Kansas City colored leaders.

At Monday's hearing, Reps. Claude Arnold and Guy Abney, Democrats, declared was "making an appeal for votes," said the attempt of Negroes to matriculate at U. of M. was a "step toward racial equality." R. J. Murray, Morgan county Republican, voiced his belief that Negro children had a right to receive instruction from Negro teachers, and declared "I favor equality in education, but believe it should be furnished at Lincoln university."

Asserting that the bill should not be made a political issue, Author Taylor said that most "native born Missouri Negroes" favored expansion of Lincoln. Explaining this he declared, "Less than one-half of one per cent of the native born Negroes want members of their race admitted to the university at Columbia. Those who are attempting to gain equal rights on the campus have entered the state or have been sent here for the purpose of upsetting the established order of educational activities in Missouri."

Apologizes For Use Of Offensive Word At Church Confab

Mrs. Bethune Demands White Conference Secretary Apologize Loud Enough for Everybody to Hear—He Does!

KANSAS CITY, Mo., May 11.—(By Isabel M. Thompson)—Use of the word, "n——," by Lud Estes, Uniting Conference secretary, called forth protest that will be remembered for many years, even though the incident was not recorded in conference minutes.

It happened Thursday, May 4, during a regular business session. The secretary began his statement, "As the old n . . . says," and was permitted to utter only a few more words, when the Rev. Benjamin F. Smith of Chicago rose and demanded an apology. Some delegates who heard a low-voiced apology from Estes, applauded. Mrs. Mary McLeod Bethune went to the platform and demanded a statement loud enough for all to hear.

'JUST AN INADVERTENT SLIP OF THE TONGUE"

Estes then spoke into the microphone in loud, clear tones: "It was just an inadvertent slip of the tongue. Coming from the deep South as I do, perhaps I am prone to use such words without realizing they may give affront. I will say to the conference: When there is a marriage and the first misunderstanding arises, what happens? We make up, of course. I say now, let's make up." There was a prolonged applause.

In accordance with the wishes of delegates, conference records will not carry an account of the incident.

According to those attending, white southerners regretted the expression as much as did the Negroes present, and went out of their way to apologize.

Concerning the affair, prominent Negro delegates made statements. Said Dr. W. A. C. Hughes, Philadelphia, "I consider it very fortunate that this happened. It was a notice to the South to be careful of its language" . . . Dr. M. S. Davage, Clark University president, "That was the first time immediate public apology had been made for such an utterance; the outcome of the incident showed a spirit" . . . Dr. G. F. Tipton, chairman of Negro activities at the conference, also felt it was most fortunate under the circumstances. "It clears the air, and I don't believe it will happen again."

LAW SCHOOLS

The state of Missouri is going forward in its establishment of a law school at Lincoln University. This is being done in order to comply with a decision of the United States Supreme Court which held in the Gaines case that the state must provide equal educational facilities for all of its citizens even to the extent of admitting Negroes to the state universities if necessary to meet that principle.

Determined to maintain its segregation laws Missouri hastens to provide a law school and it is gratifying to note that Wm. E. Taylor, a graduate of Iowa University law school and at one time acting dean of the Howard University law school, has been named dean.

Heretofore professorships for Negroes in law schools have been very limited due to the fact that only one Negro graduate school maintains a law school.

The creation of these schools will add a number of jobs for Negro lawyers heretofore unavailable; we shall have more Negro lawyers in Southern communities and better protection of the rights of Negroes in the courts of those states.

Thus while the decision of the Supreme Court in the Gaines case opened new educational opportunities for this group, its application goes further by providing better and more economic opportunities for the Negro.

It is obvious that other states will follow the example of Missouri and undoubtedly we shall have several law schools among the state schools for Negroes in the South.

GAINES CASE BACK TO BOONE COUNTY

In remanding the case of Lloyd L. Gaines vs. the University of Missouri, et al, things took a rather strange turn in the Missouri State Supreme Court recently. It had been generally believed that the State Supreme Court would dilly-dally over the matter in defiance of the decision of the United States Supreme Court which ordered the state to provide equal facilities at some place in the state for Gaines to obtain his training in law comparable to that which Missouri provides for whites at the Missouri University at Columbia, or admit him to the state university in September. But the State Supreme Court has closed another avenue.

The maneuverings in this case on the part of the state, through first one agency and then another, looks to us as though no legal stone will be left unturned to prevent Gaines from securing legal training in his own state, just because he, in the providence of God, happened to be born colored.

Now that the State Supreme Court has, like Pilate, washed its hands of the "innocent blood" of Gaines, it remains to be seen what the Boone County court will do.

Of course, everyone knows there will be no law school at Lincoln University by the first of September, 1939, equal to that at Columbia. If the Boone County court says that whatever has been done at Lincoln is adequate to that at Columbia, then an appeal will again be taken.

As to what proceedings will be taken by the National Association for the Advancement of Colored People, we are not able to state here, but the fight is to the finish, no doubt.

WHERE IS LLOYD GAINES?

Why did Lloyd Gaines disappear? Was he bribed by unknown influential persons, or is he a victim of foul play?

These were some of the questions asked for opinion of Dr. Charles H. Houston, chief NAACP counsel, who recently returned to Washington from Kansas City, Mo., where he went to take depositions at the new Lincoln University Law School there, and discovered that Gaines, who started the educational "rumpus," was missing.

Doubts Foul Play

"I do not know why Gaines disappeared and even where he is at the present," remarked Mr. Houston to AFRO reporters on Thursday.

"The idea of anyone thinking bribery or foul play had anything to do with the boy's disappearance is most absurd.

"Gaines was not indispensable and any other student could pick up his application at Missouri University and take up where he left off," he added. "But Gaines must be found to be present at the decisions, the hearing of which are now delayed when they should not be."

Native of Missouri

He is the son of Mrs. Callie S. Gaines, 3932 Belle Place, St. Louis, Mo., and attended the Vashon High School, of which he was the ranking graduate in June, 1931.

At Stowe Teachers' College in St. Louis, he stood as an honor student in 1931-32, and later held a scholarship at Lincoln University, Mo. Other cash scholarships were awarded him.

His personal habits are being studied and a check made upon his chums and other associates.



LLOYD L. GAINES

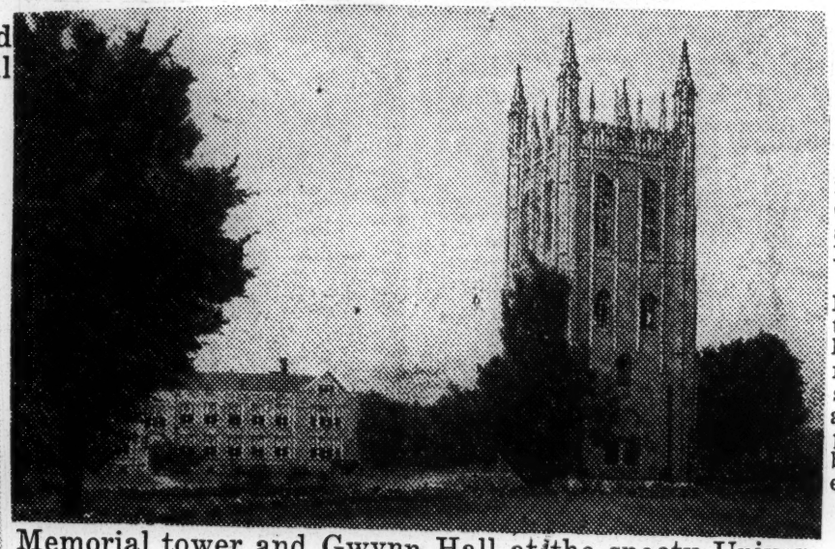
LLOYD GAINES DISAPPEARS— WHERE IS HE?

Principal in Missouri U. Case Believed to Be in Michigan or Illinois

ST. LOUIS, Mo. — Lloyd L. Gaines has disappeared!

Neither his attorneys nor his family know the whereabouts of the St. Louis youth whose case against the University of Missouri was taken by the N. A. A. C. P. to the United States Supreme court and won.

Gaines' disappearance was brought to public focus last week when Charles H. Houston of Washington, chief N.A.A.C.P. counsel, came to Missouri to take depositions at the new Lincoln university law school in the Poro building here. While Dean William L. Taylor, dean of the law school, and the three instructors there were being questioned by lawyers, the absence of Gaines was noticed. When his name was called, he failed to respond.



Memorial tower and Gwynn Hall at the snooty University of Missouri.



LLOYD L. GAINES

Anyone knowing the whereabouts of Lloyd L. Gaines is urged to contact Attorney Sidney R. Redmond, Peoples Finance Building, 11 North Jefferson street, St. Louis, Mo.

His mother, Mrs. Callie Gaines, said that she had not heard from him since spring. Sidney R. Redmond, St. Louis attorney who was Houston's counsel in the Gaines case, has not heard from him. Somebody at the St. Louis law school received a post card from Gaines last summer sent from Ypsilanti or Ann Arbor, Mich., but the card cannot be found and the address is lost.

Ask Press To Help

Mr. Houston and Mr. Redmond have asked the nation's press to help locate Gaines, who started the educational "rumpus" in Missouri. It is believed that he is somewhere in Michigan or Illinois. After speaking at an N.A.A.C.P. meeting in Kansas City last spring, Gaines boarded a train for Chicago, saying that he planned to spend a few days in the Windy City and then return to St. Louis.

Any person knowing the whereabouts of Gaines and anyone who has seen or heard of him in recent weeks is asked to contact Sidney R. Redmond, Peoples Finance building, 11 North Jefferson street, St. Louis, Mo.

Gaines' presence is desired at the hearing to be held in the Boone county circuit court at Columbia to determine whether the Lincoln U. law school in St. Louis is equal to the University of Missouri law school. This hearing had been set for October 7, but the disappearance of Gaines caused its delay.

Still Picket School

In the meantime, the Colored Clerks' Circle of St. Louis is still picketing the law school, the signs on the backs of the youthful pickets calling the school a subterfuge. Pickets also are around the home of Frank L. Williams, principal of the Vashon high school, who is a member of the Lincoln U. board of curators. 'Were you the ninth person to vote for this jim-crow school, Mr. Williams?" it asks.

The deposition taken at the Poro law school will be used when the hearing on the law school is held in the circuit court. Publicity releases from the Lincoln U. law school say that 30 students still are enrolled in the school, but reports are that the number has been reduced to 18 since the picketing began.

Say Miss Lucile Bluford Should Sue Lincoln

COLUMBIA, Mo. (ANP)—Miss Lucile Bluford, managing editor of the Kansas City Call, should have filed suit against Lincoln university instead of the University of Missouri, attorneys for the latter institution stated Friday in asking the Boone county circuit court to dismiss Bluford's suit for admission to the university's school of journalism.

The university, which also asked that it be awarded costs, in its contention that Lincoln should have been sued declared that Missouri law provides that Lincoln offer educational opportunities for Negroes equal to those afforded whites at Missouri U. and failure to do so makes Lincoln liable for court action.

LLOYD GAINES

Attorneys for Lloyd L. Gaines state that his absence will not necessarily affect his fight to enter the University of Missouri, which case will be heard in the Boone County Circuit Court probably in January if Gaines can be found as the attorneys for the university want to take his deposition before the trial of the case.

In the meanwhile, the department of law, Lincoln University, will continue with the present arrangement in the Poro Building, St. Louis. Those students, members of our race who have taken advantage of the opportunity to begin the study of law, are to be congratulated because such an opportunity to study law at the University of Missouri may never come to them. As for those students who have been kept away through ridicule and intimidation on the part of others, they have lost an opportunity which may never come again to some of them, at least. Courage is one thing, but common-sense thinking is another.

As we have stated before, this issue cannot be settled by picketing the present law school set-up. Nor can it be settled by harrassing and threatening members of the Board of Curators who acted in good faith based upon their judgment in locating the Law School in the Poro Building. The matter is still in the courts.

The National Association for the Advancement of Colored People, from its headquarters at New York, has issued the following statement with reference to the Gaines case:

"The court and not the legislature of Missouri must decide whether the law school recently opened at Poro College in St. Louis meets the requirements laid down by the United States Supreme Court, of equal educational facilities for Negroes within the state. In order to clearly understand the position of the N. A. A. C. P. on the Gaines case it is necessary to review the court decisions. On December 12, 1938, the United States Supreme Court ruled that: 'Petitioner was entitled to be admitted to the law school of the state university in the absence of other proper provision for his legal training within the State.' The case was again argued in the Supreme Court of Missouri where it was held: 'We are unwilling to undertake to determine the constitutional adequacy of the provision now made for relator's legal education within the borders of the state by the expedient of coupling judicial notice with a presumption of law. Orderly procedure requires that the question be submitted to, and determined by the trial court in the first instance. If the facilities at Lincoln University, to be available at the commencement of the next school term, which is in September, are in fact substantially equivalent to those afforded at Missouri University, the writ should be denied; otherwise it must issue, as a denial under those circumstances would amount to an arbitrary exercise of discretion. The judgment is, accordingly, reversed, and the cause remanded for further proceedings in conformity with the views herein expressed.' The position of the N. A. A. C. P. is that it is necessary for the trial court to decide whether the law school at Lincoln University satisfies the decision of the United States Supreme Court and the Supreme Court of Missouri. In order to do this, application has been made for the regular hearing of this case upon the mandate as sent down from the Supreme Court of Missouri. This is the usual procedure in court cases which have been appealed."

Of course it is rather unfortunate that Gaines has not put in his appearance in St. Louis in order that he might be available should he be needed in the final settlement of the case.

Just why he absented himself is a matter of much speculation to all concerned. The local branch of the National Association for the Advancement of Colored People had already pledged itself to be responsible for the payment of his tuition and expenses at the University of Missouri should he finally enter there as a law student. Therefore, we see no reason why he should absent himself at this time.

Gaines Case at a Glance

FEBRUARY 8, 1936—Lloyd L. Gaines, graduate of Lincoln University, Mo., filed petition of mandamus in the circuit court of Columbia, Mo., against the University of Missouri, seeking admission to the institution's law school, NAACP attorneys handling the case for him.

March 25, 1936—NAACP attorneys filed new suit for Gaines to compel the University of Missouri to admit him. The original suit was ineffective because Gaines's application had not been officially denied by university officials. In the time between the suits, he again applied to the university and was officially denied admittance.

April 10, 1936—University of Missouri attorneys asked for a delay in bringing the case to trial, delay granted, and case set for April 30.

April 30—University of Missouri attorneys asked for and granted second delay.

June 20—Hearing on petition set for July 2.

July 2—July 10 now set as date for hearing of case.

July 10—Arguments heard in Columbia, Mo., with Sidney R. Redmond of St. Louis as chief counsel for Gaines, assisted by Charles H. Houston, special counsel for the NAACP.

July 15—Judge Walter M. Dinwiddie, presiding at the trial, decided to take the case under advisement.

July 24—Judge Dinwiddie ruled that the University of Missouri could not admit a colored student.

August 8—Attorneys for Gaines file appeal.

December 17, 1938—The United States Supreme Court ruled that the University of Missouri must admit Gaines as a student in the law school, pointing out that a State must give "equality" in educational privileges to colored and white law students alike, and remanded the case to Missouri, ordering a new finding in conformity with the Supreme Court finding.

December 20, 1938—The University of Missouri asked the Supreme Court to grant a rehearing.

January 14, 1939—The U.S. Supreme Court denied a re-hearing to the University of Missouri in the Lloyd Gaines case.

January 14, 1939—The NAACP voted to help defray the expenses of Gaines at the University.

February 18—The Missouri High Court, to whom the case had been remanded by the U.S. Supreme Court, placed the case on its May term docket.

May 27—Attorneys for both sides argued before Missouri Supreme Court justices across from the State Capitol.

October 11 — Lloyd Gaines reported missing by NAACP attorneys.

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Then, the rewritten decision will be handed to the Boone County Circuit court, the tribunal in which the original petition to force Gaines entrance to the state school was filed. When that is done, the county court officials will notify officials of the school or members of the board of curators of the University of Missouri. Then, may-be, Gaines and other Negroes will be permitted to attend the state school.

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Just what other delays the state is planning to effect to further delay the carrying out of the edict of the nation's tribunal is highly problematical. As far as can be learned, the Supreme Court of Missouri has never rewritten a decision that has been reversed by the United States Supreme Court. Generally, the custom is to simply make a notation, "Decision Reversed, etc." in pen and that is all.

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Already rumors of "sell-out" are floating around and certain so-called leaders are being closely watched because most of the Negro citizens of Missouri are anxious that they be given all entitled to under the court's ruling. It is common knowledge that much money will be required to set-up at Lincoln university the same courses that are taught at the University of Missouri. There can be no real compromise in the matter.

If the state cannot afford to pay for such courses at Lincoln then Negroes wishing to take these courses must BE ADMITTED TO MISSOURI UNIVERSITY OR THE STATE BE IN CONTEMPT OF THE UNITED STATES SUPREME COURT'S RULING.

Negroes throughout the state are carefully scanning the pages of the Negro papers of Missouri in an effort to see whether or not there are any indications of a proposed break or a sell-out. In this city, Attorney Joseph L. McLemore, chairman of the board of curators of Lincoln university, is remaining silent.

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The court holds in its opinion that it cannot decide at this date whether the law school to be established at Lincoln university is the equal of the law school at the University of Missouri. It holds that this question must come before the trial court and be decided upon its merit after the school is established.

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sion in the Gaines case, and denied him a writ of mandamus compelling the University to admit him. From this decision an appeal was taken to the Missouri supreme court which affirmed the denial of the writ. From this decision an appeal was taken to the U. S. supreme court which reversed the Missouri supreme court. Reargument of the case before the U. S. supreme court was held May 22 with Charles H Houston of the New York office of the NAACP and Sidney R. Redmond of St. Louis, member of the national legal committee, appearing

DIVISION OF BEHAVIORAL SCIENCE RESEARCH PEEL 61

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DIVISION OF BEHAVIORAL SCIENCE RESEARCH

Is The UNIVERSITY Of MISSOURI

—*Playing 'Hide And Seek'*—

With The Supreme Court Decision?

COLUMBIA, Mo., Feb. 3—With her credentials accepted in advance and a letter in her purse stating that she was eligible to begin work on her M.A. degree, Miss Lucile Bluford, Kansas City newspaper woman, appeared on the University of Missouri campus here Monday prepared to enroll.

Despite the recent United States supreme court decision in the Gaines case, however, she was denied admittance on the grounds that the "Gaines case is not yet settled."

Miss Bluford, news editor of The Call in Kansas City had applied for admittance to Missouri university's famous School of Journalism. She received her A.B. degree in journalism from the University of Kansas in 1932.

Her transcript from Kansas university was on file at Missouri university and had been accepted by Dean Frank L. Martin of the school of journalism as sufficient to allow her to begin work on her M.A. degree.

Arriving at M. U., Miss Bluford went directly to the office of the registrar to obtain her permit to enroll, in compliance with a letter received from the registrar's office before she left Kansas City.

Taken out of Line

She was standing in line with other students waiting for their enrollment permits when one of the registrar's secretaries approached her and asked her name and whether her credits had been sent there. When Miss Bluford answered "Yes", the secretary asked her to step out of the line and to go with her into the office of the registrar, S. W. Canada.

After offering her a seat, Mr. Canada read Miss Bluford an already-prepared statement which he said came from the board of curators of the University of Missouri. The statement read:

"The decision of the Supreme Court of the United States in the Gaines case has not yet become final, but is still pending in the Supreme Court of Missouri for further consideration. When the courts have rendered a final judgment in this case, no doubt the constituted authorities of the state of Missouri will take such action as seems best to meet the situation.

"The people of Missouri have established in the state a separate educational system for the Negro race and any Negro desiring university work should apply to Lincoln university which has been established for that purpose.

"Pending the final outcome of this matter, the board of curators of the University of Missouri cannot alter the long-established policy of this state."



MISS LUCILE BLUFORD

U. of Mo. Wouldn't Register Her as Student

30 Miles to Go

At the Boone county circuit court, it was learned that the mandate from the United States supreme court, ordering the University of Missouri to admit Lloyd L. Gaines to the law school, had not been received in Columbia. The mandate now is in the hands of the clerk of the Missouri supreme court at Jefferson City. It was sent from Washington on Friday, January 20, but has not been sent the 30 miles from Jefferson City to Columbia.

Before coming to the M. U. campus, Miss Bluford had gone through all the necessary formalities for admittance to the university. She wrote Mr. Canada, the registrar, asking for an application blank and catalog, telling him that she wanted to enroll for graduate work in journalism.

The registrar answered saying that he was "glad you are interested in the University of Missouri" and advising her to have the transcript of her undergraduate record sent to his office.

Miss Bluford wrote the registrar at K. U. asking him to send her transcript to M. U.

Receives Registration Blank

Then she received the following letter from Mr. Canada, telling her, in effect, that she was eligible to enter the university:

January 19

My dear Miss Bluford:

Your transcript from the University of Kansas is now on file in our office, and while it is sufficient to admit you to our Graduate School I must refer it to Dean Frank L. Martin of the School of Journalism concerning your admission to the Graduate School in the field of Journalism. I am asking Dean Martin to check your record and write directly to you concerning your qualifications.

I am enclosing in this letter a registration blank for the second semester which you should fill out and return to me. You will know from the information which Dean Martin gives you whether you may plan to enter the field of graduate work in which you are particularly interested.

Because of the short time remaining before the opening of the winter semester, I think you must expect to call at this office after you come to Columbia for your permit to enroll. This procedure will not delay you, however, in registering at the regular time.

S. W. Canada.

Miss Bluford returned the registration blank to Mr. Canada and prepared to enter the university.

Not having heard from Dean Martin before she left Kansas City; Miss Bluford went to the University library, where the dean was enrolling students Monday to find out whether, she was eligible to do graduate work in journalism.

It was learned from the dean and his secretary that Dean Martin had evaluated her transcript and said that she was eligible to begin work on her master's dgreee.

Resident of Missouri

Miss Bluford has been a resident of Missouri for 17 years. She is a graduate of the Lincoln high school in Kansas City, Mo. Her family pays taxes in Kansas City.

Before leaving the campus, Miss Bluford talked with several students in the school of journalism and to one journalism professor.

Her appearance on the campus caused no excitement. She was treated as indifferently as any other new student seeking enrollment.

Lloyd L. Gaines, St. Louis youth, who carried his fight to enter the University of Missouri law school to the United States supreme court, plans to enter M. U. in the fall. He could not enter at the beginning of the second semester because the law course must be started in September.

Monday was the regular enrollment day for the second semester.

REGISTRAR 'DENIES ALL' IN LUCILLE BLUFORD CASE

ST. LOUIS, Dec. 7.—The reply in the alternative writ of mandamus filed by Miss Lucille Bluford, attempting to force S. W. Canada, registrar of the University of Missouri to admit her to the school of journalism of the University of Missouri, has just been filed in the Boone County Circuit Court by Attorneys Nick T. Cave, Kenneth Teasdale and William S. Hogsett, attorneys for Registrar Canada.

"The reply in the mandamus suit is most amazing," Attorney S. R. Redmond, counsel for Miss Bluford in the case, asserted.

In a blanket manner, Registrar Canada denies the charges in the alternative writ filed by Miss Bluford's attorneys to the effect that he has any knowledge or information to form a belief as to the truth of the "allegation that relator (Miss Bluford) is a citizen of the United States and the state of Missouri, a resident of Kansas City and a tax payer."

Registrar Canada also denies Miss Bluford desires to pursue graduate work in the University of Missouri in the field of journalism for the purpose of becoming more proficient in her chosen profession of journalism, and of increasing the value of her services to the Kansas City Call and to the people of Missouri."

It is denied that Registrar Canada received a proper application from Miss Bluford in January, 1939, to enter Missouri U. for graduate work in the field of journalism; and denies that he "accepted" her application for admission and the transcript of her college record or that he notified her that her college record was sufficient to admit her to the Missouri U. graduate school.

Canada further denies that the school of journalism found her college record qualified her for admission to the graduate school for graduate work in the field of journalism or that he directed her to call at his office in Columbia for her permit to register when she should come to the university campus in Columbia. He denies refusing her permission to register solely because of her race or color. Like denials are made for the first semester of the 1939-40 school term.

That the matter of admission of students rests with him as a state officer, is denied by Canada.

According to the reply, Registrar Canada asserts that it is contrary to the constitution, laws and public policy of the state of Missouri to admit a Negro as a student in any department of the school of the University of Missouri and that the state constitution requires a separation of the white and Negro racial groups in public schools and universities, forbidding either to attend classes at an institution attended by the other.

JOIN MARCHERS AT PORO BLDG.

28 from Mo. U., Washington and Eden Sem.

(Pictures on Pages 2 and 3)

In a demonstration of sympathy with the Picketting of the Lincoln University Law School, students from Washington and Missouri Universities and Eden Seminary joined members of the Colored Clerk's Circle Wednesday afternoon in their march outside the headquarters of the school in the Poro Building at 4300 St. Ferdinand avenue. The white students all stated that they wanted to help mould public sentiment against the institution which they felt had established in violation of the U. S. Supreme Court's ruling in the Gaines case and the Democratic principals of the United States.

Twenty-eight Join

There were ten girls among the 28 or more white students who walked in the picket line. They carried banners which contained such slogans as "Why Not All American Students at Missouri U.," "Smoke in St. Louis's Bad, Prejudice is Worse," "Is [illegible] Equality?" "Everybody From Everywhere is at Missouri U. Except Negro Americans," "Separate Schools Are Terribly Wasteful and Unfair to Taxpayers."

Only one member of the staff of the school was present at the time of the united demonstration.

An Argus reporter who was on the scene obtained statements from the groups represented.

Made Statements

Rev. Harold Wilke who was a leader of the Pickets made the following statement in part:

"This picketing is a protest carried out by individual participants, but we are confident that it represents an American protest against undemocratic segregation. Today, when much of the world is engaged in horrible conflicts, we feel that one of America's main problems lies in defeating inroads upon our democratic tradition. In order to maintain itself in the hearts of Americans, we must extend our democracy to all of our people. The establishment of the Lincoln Law School is a destruction of a cherished concept of equal opportunity. "Jim-crowism" can not exist in a real democracy. We object not only because of an idealistic dislike of segregation; there are other problems too. How can the State of Missouri justify the spending of some $100,000 of tax-payers' money to exclude one Negro student from a state institution? That is the actual situation concerning Gaines. Such extravagant waste is beyond sound public economy."

The Missouri U. students' statement was in part as follows:

"We, as students at the University of Missouri and members of the American Civil Liberties Union protest before the Lincoln Law School because we feel that the action taken by the State of Missouri to be undemocratic. The Gaines decision has not been followed. The Lincoln Law School is not equal to our law school and Negro students have been refused admittance to the University of Missouri."

A statement from the Clerks' Circle signed by the president, Frank Jones, and vice president, Herman E. Webb, and Business manager, Orlan A. Staten, said in part:

"The Colored Clerks' Circle welcomes this noble expression of sympathy from the white college students of Missouri in this historic struggle it is waging for the extension of American democracy. Their presence here raises our efforts to a higher level of democratic understanding since we are opposing a law school that is forced upon us, not out of a necessity, but in blind obedience to satanic race prejudice. It proves that young white and Negro Americans could build a thoroughgoing democratic state if those white and Negro persons who profit from segregation would let them alone. Therefore, this is certainly one of the most significant events patriotic Missourians can boast of for the year, 1939. Furthermore, it comes at a most befitting time for it is the very embodiment of Peace and Goodwill."

Batesburg, S. C., Twin-City News
April 12, 1939

NEGRO STUDENT IS BANNED AT UNIVERSITY OF MISSOURI

Columbia, Missouri.—Despite a recent United States supreme court decision in the Gaines case, University of Missouri officials have refused to admit Lucille Bluford, Kansas City negress, to the school of journalism.

Excuse of the university is that the school's policy of excluding negroes is still pending final determination in the courts.

Presumably that is based on the university's appeal for re-hearing of the Gaines case by the supreme court.

MISSOURI PASSES EDUCATIONAL BILL TO COMPLY WITH SUPREME COURT

Jefferson City, Mo., March 16—(ANP)—Missouri Democrats triumphed over GOP opposition in the State legislature last Monday when the house of representatives ordered perfected a bill by John D. Taylor, Charlton County Democrat, to expand facilities of Lincoln university, state school for Negroes, to equal standards at the University of Missouri.

The bill was passed after a rallying plea to Democrats and lukewarm Republicans, but only after a brilliant appeal had been made by Rep. O. B. Whittaker, Hickory County GOP stalwart, that qualified Negro students be admitted to the University of Missouri.

Declared Stalwart Whitaker: "Why exclude the children of Negro citizens of the state when the school is open to Japanese I would rather have children of mine association with those who have made good citizens of Missouri than with Japanese who are being trained to slaughter persons on the battlefield.

"I do not know of any good reason for this bill. We should answer the United States Supreme Court's demands by admitting Negroes to our state university. The intrepid solon argued that the expansion program at Lincoln University would be costly, that the expenditure would not be economical because of the relatively small number who would apply there for advanced education. However, when a voice vote was taken, only three or four representatives were head in support of Whitaker.

Sponsor of the Taylor bill was the decision last December 8 of the U. S. Supreme Court in the University of Missouri-Lloyd Gaines case, which ruled that the state must either admit Gaines at the University of Missouri as a law student, or "provide equal facilities within the state' for Negro students. Rep. Taylor, the bill's author, said he would ask for an adequate appropriation for Lincoln to enable the state to comply the high court ruling. The bill was given stiff opposition fortnight ago by a delegation of Kansas City colored leaders.

A Monday's hearing, Reps. Claude Arnold and Guy Abney, Democrats, declared was "making an appeal for votes," said the attempt of Negroes to matriculate at the University of Missouri was a "step toward racial equality," R. J. Murray, Morgan County Republican, voiced his belief that Negro children had a right to receive instruction from Negro teachers, and declared "I favor equality in education, but believe it should be furnished at Lincoln university."

Asserting that the bill should not be made a political issue, Author Taylor said that most "native born Negroes" favored expansion of Lincoln. Explaining this he declared, "Less than one-half of 1 per cent of the native-born Negroes want members of their race admitted to the university at Columbia. Those who are attempting to gain eqaul rights on the campus have entered the state or have been sent here for the purpose of upsetting the established order of educational activities in Missouri."

Missouri Legislature Has Adopted Segregation Policy

JEFFERSON CITY, Mo., Apr. 13—In implied retaliation against the fight being made by Negro citizens for equal educational opportunities, the lower house of the state legislature has adopted a segregation policy.

During the recent consideration of the Lincoln university appropriation, a committee of club women was placed in the southern section of the gallery.

New signs on the doors now read "For Negroes Only" and "For Whites Only."

CONGRATULATIONS TO MISSOURI U. STUDENTS

We hereby extend our congratulations to the students of the University of Missouri for the courageous stand they have taken against racial intolerance in connection with the refusal of Coach Don Faurot to allow Ed Smith, Negro member of the Wisconsin track team, to play with his teammates in a contest between Wisconsin and Notre Dame, which was scheduled to take place at Columbia Saturday.

The answer to the position taken by the University of Missouri through Faurot as stated in a petition by her students, which was sent to Notre Dame, made it perfectly clear that the student body of the University of Missouri is living in a new day and that they have little patience with those at the University who are fostering race prejudice and antibellum ideas.

In Faurot's answer to Wisconsin, which had withdrawn from the meet because of the attitude of Missouri toward one of its members who happened to be a Negro, he said:

"Competition between the white and Negro races has never been permitted at the University of Missouri and it is felt that no deviation from this policy should be made."

The students viewpoint of this statement is:

"We, as students do not hold that since something was our policy in the past, we see no reason to change."

Bravo, students!

It will be remembered that it was the student's publication of the Missouri University which wrote that famous editorial on December 14, 1938, "The Inevitable Mr. Gaines." That publication, we think, back in December, was expressive of the attitude of the students at Missouri University and this latest action on the part of the students further verifies our thought. Forward, Students of Missouri University! The success of your forward thinking is inevitable!

Negro Students Will Be Admitted to Commercial College in Des Moines

SORORITY BREAKS DOWN COLOR BAR IN BUSINESS COLLEGE HERE

The Alpha Delta Chapter of the Iota Phi Lambda, national business sorority has broken down the color barrier in this city which prevented Negro graduates from taking a business course in the American Institute of Business.

This is a notable achievement, as the American Institute of Business is one of the two accredited business colleges in the city and it seems to be prevalent throughout the country to ban Negroes from accredited business colleges.

Offer Scholarship

The Sorority is offering a scholarship this spring to some girl with a high scholastic standing from high school. Further information on the scholarship will be announced later. Officers of this Sorority are: Gertrude North, president; Clara Johnson, vice-president; Evelyn Brooks, secretary; Susie Hart, corresponding secretary and Dorothy Sims, journalist.

REBUTTAL, SUPPORTING DECISION OF SUPREME COURT RULING IN GAINES CASE

By W. H. Fouse

Under the caption of "Racial Segregation For the Purpose of Education," Mr. John B. Breckenridge, senior in the Law School of the University of Kentucky, has written a brilliant editorial in the Quarterly Law School Journal for March.

While the editorial cannot now be used for propaganda afar off to influence the Court, yet even as a somewhat posthumorous document we may with some profit consider a few major points he has raised and answered.

His opening argument in the second paragraph seems very faulty when he openly admits that segregation is carried on under various evasions which makes this practice one in opposition to the spirit of the law. (Fourteenth Amendment).

In the same paragraph the writer has introduced an unnecessary and quite irrelevant element or idea which is calculated to plague and prejudice the issue. He says that "civil rights do not mean civil rights;" and that "equality (of opportunity) does not mean "identity." He might have said equality does not mean equivalent as seems to be the interpretation given in certain sections of the country. Nothing in the issue suggests that the colored student entered the "court" to seek social rights among the white students any more than his going into a dry goods store or grocery to purchase some of the commodities offered would be an attempt to secure "social rights" even though he might mingle rather freely with white customers while in the store. This colored boy wanted "educational opportunities," not "social rights." The University of Missouri had been established for the sole purpose of giving the citizens of the state educational exposures rather than social contacts. It was these exposures that Gaines wanted and it was in the interest of these exposures as a citizen of Missouri and the United States Supreme Court rendered its decision.

The writer of the editorial levels a rather scathing criticism at this Court when he used the following words: "Due to the delicacy of the situation, the United States Supreme Court has followed a laissez faire policy as voiced by Justice Harlan." As it appears to the writer nothing could be said that would express the opposite attitude of the "court" more than laissez faire. Their decision moved counter to the stream of common practice. They took the position that each state within its own borders must assume certain educational responsibilities in the interest of the citizens of that state, regardless of color and race. Their position was that these states must not juggle with these responsilities. They must not equivocate, evade or transfer.

In the next place the editor seems to have adopted the policy of finding the course of least resistance in his discussion of the three alternatives by which the Negro might be furnished educational opportunities. He has yielded to the policy of allowing cupidity and sentiment to take the lead where ethical principles should have blazed the trail.

It is true, as he says, that the Negro student might have to meet in the Southern (white) colleges unfair treatment from the student body as well as from the instructors. But if he, browbeaten, should leave the institution and enter the open market of trade and labor on any level from the white color type down to digging the ditch would he escape meeting this demon of injustice based on race? Would he not meet it at the door of skilled labor? Do not the "unions" raise up an impregnable wall against him? Even if he should enter a Negro college he would not find his path strewn with roses. The pinch of poverty and the stigma of style deter the white and black student alike.

As a concluding work I feel that potentially the South is as fair and fine as any other section of the country. We won't have to light a candle to find those who have heart that pulsate with right attitudes. With the elimination of ignorance and fear it will not be necessary to go to Newcastle to get the coal to build the fires of right race relationship, since most of their fears are based on imaginary giants.

If we all can be a little more optimistic; a little less realistic and practical and go over into the realm of the poet we might see the fruition of the lines of Emerson who said, "Be noble and the nobility that lies dormant, sleeping in some other breast, will rise up and come forth in majesty to meet thine own."

Roscoe Dunjee Rouses Ire of Oklahoma Solon

OKLAHOMA CITY, Feb. 2—(ANP)—At last Tuesday's open hearing before the state senate's two committees on education, Roscoe Dunjee, publisher Oklahoma Black Dispatch, opposed a bill denying "equal facilities" to Oklahoma Negro tsudents and his opposition brought a spirited rejoinder from Senator Paul Stewart.

Senator Louis H. Ritzhaupt told the committees that the bill authorizes the state to pay certain expenses of Negro students who go to other states to receive training in courses not open to them in Oklahoma schools. The bill, according to Senator Ritzhaupt, was designed to meet the recent U. S. Supreme Court decision in the Lloyd Gaines-University of Missouri case.

Offering to get a copy of the decision to prove his point, Publisher Dunjee told the committee that the Supreme court ruling ordered: "Equality of educational facilities within the state." This statement roused the ire of Senator Stewart who immediately sounded off:

"If Oklahoma is able to give Negroes equal facilities with white students, well and good, but if the Negroes try to re-do the traditions of the old South and come to school with the whites, there will be the damndest row that was ever started."

Dunjee then explained that what he wants is to improve the scholastic standing of the Oklahoma Colored Agricultural and Normal School (Langston University, Dr. J. W. Sanford, president), so that Negroes could get the same training there as at the University of Oklahoma.

The committee, however, voted to report the bill favorably to the senate, where spirited opposition is anticipated to block its passage.

DISCRIMINATION- 1939

Arcadia, La., Bienville Democrat
January 12, 1939

RACE TOLERANCE BEGINS AT HOME

If today's headline about Germany's plan to link forced emigration of its Jews to exports stress anew the need for racial tolerance, then readers doubtless also will see today's headlines about the Supreme Court ruling in a case involving a Missouri negro carry that emphasis even farther.

In fact, many who read the majority opinion written by Chief Justice Hughes that the State was bound to admit Lloyd Gaines, a negro, to the University of Missouri Law School or "to furnish him within its borders facilities for legal education substantially equal to those afforded for persons of the white race,", will rightly regard it as carrying the humanitarian view of the race question to its logical conclusion.

Doubtless Missouri authorities believed that in financing scholarships enabling negro applicants to study law in institutions outside its borders, the State was mindful of the negro's right to equality of educational opportunity. It is now believed the State will take steps to provide equal opportunity "within its borders" by adding an adequate law department to Lincoln University, which the State maintains for negroes. This willing compliance and the ruling that evokes it breathe the spirit of tolerance and equality before the law, the best safeguards of democracy.

Kannapolis, N. C., Independent
January 13, 1939

SUPREME COURT MUDDLERS

The esteemed gentlemen of the United States supreme court are usually above criticism—and their actions are usually wise and for the best interests of the nation as a whole.

The ranking justice dispensers of our land, however, pulled a boner in their decison on the case of the Missouri Negro who applied for entrance to the University of Missouri. In their decision they forced needless and wasteful expense on the several states that have not yet made provision for the graduate instruction of Negroes. They did, in fact, head off a method of subsidized instruction that would have furnished North Carolina Negroes with much better instruction than they will be able to secure under the alternate system that this state is sure to adopt as a result of the supreme court ruling.

The report of a special commission appointed by the 1937 general assembly to study Negro education in this state recommended for the benefit of those members of the race who desired graduate instruction a system of educational subsidies whereby the state of North Carolina would have paid tuition for North Carolina Negroes at institutions out of the state that admitted members of the colored race as students.

Thus, North Carolina Negroes who desired graduate instruction could have secured it at institutions of their choice outside the state—probably at schools better prepared to furnish specialized instruction than those in our own state—and have the aid of the state of North Carolina in paying for such education.

But the supreme court ruled directly against such action, that being the exact system Missouri operated. North Carolina must either permit Negroes to study at the state university's graduate school or set up graduate schools of "equal" attainments at the state's regular institutions for the colored race.

It is pretty safe to predict that the 1939 general assembly, which cannot afford to ignore this issue, will set up graduate schools at the state's Negro colleges "equal" to those at the state university. That such schools will be "equal" only in name is pretty obvious to all concerned, no matter how earnest the legislature and those charged by the legislature with performing that task do their work.

Graduate schools at the University of North Carolina have attained their present eminence through years of operation, years of turning out qualified professional men, years of research and millions of dollars spent in endowment and in other ways. Such schools simply can not be made merely by legislative decree.

And, in the light of the supreme court ruling, North Carolina can not now pay tuition for her Negroes in out of the state institutions. The same holds true in other states. The supreme court has, in fact, closed the door in the faces of Southern Negroes desiring post-graduate education.

MISSOURI U. TOLD TO ADMIT GAINES

JEFFERSON CITY, Mo., Jan. 26—(Special)—The wheels of the legal machinery continue to run, and now, a United States Supreme Court mandate, directing the University of Missouri to admit to its law school, Lloyd Gaines, 25-year-old St. Louisan of Afro-American descent, was received by the clerk of the Missouri Supreme Court Friday, January 20.

The mandate, according to E. F. Elliott, the clerk, will be forwarded "soon" to the Boone County Circuit court where Gaines first filed his suit seeking admission. Columbia, the seat of Missouri University, is located in Boone county and it was the Missouri State Supreme Court that upheld the refusal of the Boone County Circuit court to force the state school, supposedly for whites only to admit young Gaines.

Louisville, Miss. Journal
January 6, 1939

COURT: NEGRO'S VICTORY

Outstanding among the decisions handed down by the U. S. Supreme Court last week was one that marked a victory for Negroes—specifically for one Negro in Missouri.

The decision had to do with the case of Lloyd L. Gaines, 25-year-old Negro of St. Louis. Three years ago he was refused admission to the University of Missouri law school because of his race. Since no Missouri Negro school had facilities for teaching law, the state offered to pay his tuition at an institution in a neighboring state where there was no racial discrimination. But Gaines, insisting that he had been denied rights guaranteed by the Fourteenth Amend-

ment, appealed to the State Supreme Court, which ruled against him on the ground that it was "contrary to the Constitution, laws and public policy of the state to admit a Negro as a student in the University of Missouri." Thus rebuffed, Gaines went to the United States Supreme Court, and won the decision, by the Court saying Missouri would have to build a law school for colored people, else let them attend the schools for whites.

The point brought out in this case was not that the same law has been on our statute books all these years, but it is just now happening that the negro has the courage to demand his rights in the schools. And it has been brought about through the slipping of the color line in the South. The question in the deep south is, will it stop in Missouri? It will not, if the fanatic school people are allowed to place our school system into Federal control, as is now trying to be done. The Federal Government has the habit of handling matters that it puts its money in.

McComb, Miss. Enterprise
December 30, 1938

RACIAL JUSTICE

Several recent news items about American Negroes are of special interest. There was the decision of the United States Supreme Court upholding the right of colored law students in Missouri to education in schools within that state. Hitherto they have been farmed out to neighboring states.

The number of Negroes in the professions has more than doubled since 1900. The 1930 census found 1,150 Negro lawyers, 4,000 doctors, 5,000 trained nurses, about that number of actors, and a large number of teachers. In the period between 1900 and 1930 illiteracy among Negroes had been cut from 45 to 12 per cent.

It is not only professionally that the race has made progress. The Ohio president of the Future Outlook League reports that many of their number, formerly jobless, have in the last three years obtained work as clerks in stores and other service jobs. He tells working class Negroes: "Go out with the understanding that you are pioneers. Go out with the idea that you are building a foundation for your chlidren and your race."

The new school for Negroes at Williamsburg, Va., is dedicated not only to education of Negroes, but to improved social and economic conditions and living standards.

Any fair-minded person will admit that these things are only a start toward ending injustice, but it is a hopeful and positive start. It faces away from the racial prejudice that darkens so much of the world today.

Spartanburg, S. C. Herald
January 10, 1939

NEGRO SETS PLANS FOR STUDYING AT MISSOURI SCHOOL

St. Louis Jan. 9 (AP).—Lloyd Gaines, St. Louis negro who carried his fight to enter Missouri university to the United States supreme court and won, said today he is planning to enroll there this fall.

Gaines explained he would prefer to attend Lincoln university, the state-supported negro school at Jefferson City, if a law school is established there.

Files Application To Enter Missouri Univ.



ETHEL RHODES

Daughter of Mr. Wm. F. Rhodes and Mrs. Lila Rhodes of 4259 Enright Ave., who has filed application for admission to the Graduate School of Lincoln U. Miss Rhodes is an honor graduate of Sumner High and Lincoln U. where she graduated in January with the distinction Summa Cum Laude. She was a member of the Lincoln U. Dramatic Club and on the staff of the school paper and is a member of the Alpha Kappa Alpha Sorority.

¶ Apparently encouraged by the U. S. Supreme Court's recent ruling that the University of Missouri must admit Negro students to its law school or provide equal facilities in a separate state institution, a Negro woman applied for admission to the graduate school of the University of North Carolina at Chapel Hill. This step was interpreted as an attempt to test the school's ban against Negro students.

LLOYD GAINES TO SPEAK AT FORUM FEB. 26

Expect Centennial Church To Be Packed for Program of N.A.A.C.P.

Both the main floor and the balcony of the Centennial M. E. church are expected to be filled to capacity Sunday afternoon, February 26, when Lloyd L. Gaines, who successfully waged a court battle to enter the University of Missouri, will speak.

Gaines will come from St. Louis to talk on the Kansas City Forum program sponsored by the Kansas City branch of the N.A.A.C.P. of which Elmore Williams is president.

Young Gaines will give Kansas Citians a first-hand account of the case which led to the famous opinion of the United States supreme court granting Negroes the right to enter the University of Missouri.

Gaines' case has been fought by the N.A.A.C.P. for almost four years, beginning in 1935 when Gaines finished Lincoln university and applied for admittance to the law school of Missouri U. only to be refused because of his color.

A writ of mandamus was denied by the Boone county circuit court at Columbia and the Missouri supreme court upheld the decision of the trial court. Last September however, the United States supreme court, the highest court in the country, reversed the opinions of the Missouri courts and ordered the University of Missouri to admit Gaines.

Elmore Williams, N. A. A. C. P. president, will be master of ceremonies at the forum program.

Gaines will be introduced by Joe E. Herriford, principal of the W. W. Yates school, a veteran educator in the state and long a champion for Negro rights. T. B. Watkins will respond to the speaker's address.

Music will be provided by the WPA orchestra, Harry Dillard, director; and the Lincoln high school chorus of 90 voices directed by Wyatt Logan.

The Rev. L. D. Revoal will offer invocation, the Rev. A. L. Reynolds, benediction.

The program was arranged by Mr. Williams and Roy Dorsey, chairman of the program committee of the forum. Dr. A. F. Radford is president of the forum.

DISCRIMINATION- 1939

MISSOURI

Greenville, S. C. Observer
December 16, 1938

Negroes In College

The decision of the United States supreme court that the University of Missouri must admit a negro to its law school in the absence of a state-supported school for negroes within the state's borders has the effect of a command to the University of South Carolina to admit negroes to its professional departments. A negro has applied for admission to its law school.

The states of the South may adopt one of several courses in respect of this issue.

They may admit negroes to their white institutions, giving up the fight for racial separation.

They may establish separate professional schools for negroes. They may withdraw state aid to professional schools. That would be to abolish schools of law, pharmacy, teaching, medicine, engineering. (Journalism as taught in the Southern universities is an undergraduate study and may scarcely be called professional.)

The state universities with the tacit consent of the public may pretend compliance with the supreme court's decision and evade and nullify it by subterfuges and by resort to ways that would make the lives of negroes unendurable within the institutions. This would not be without precedent, and for a long time it might relieve the situation from the White man's point of view. It is not a pleasant or decent thing to think of, but it would be the natural result of the devious, uncertain, unfrank and dishonest policy of the United States toward its negro question the last hundred years. Continually hyprocisy has forced the South upon occasion to be ruffian or rascal.

Were the law school alone involved, the problem could be easily disposed of in South Carolina. No state-supported law school is needed or is desirable. The South Carolina law school has long been more a hatchery of politicians than lawyers, and the value of it to the commonwealth is matter of grave doubt, to put the case in polite terms.

Indeed, that the state should support professional schools or "higher education" is not to be taken for granted. The pioneer days when their support was expedient have departed. Privately supported and therefore relatively independent institutions have multiplied. Wofford would not be compelled by the court's decision to admit negroes nor would Oglethorpe, Belmont, Sewanee, Furman or Duke. The new modes of travel have placed those institutions closer to South Carolina than Greenville was to Columbia a quarter century ago.

In general the court's decision will increase the interest of Southern people in their privately supported colleges, among which are their church colleges. The movement by governments, federal and state, to break down racial barriers cannot, must not, escape observation. The Republican and Democratic parties are appealing to the negro voters and endeavoring to force the ballot upon the Southern negroes. To this effort in national politics signs of willingness to capitulate are unmistakable, though not yet plainly visible, in some Southern state institutions. Virtually all of them are mendicants for federal appropriations, and if their directors are not entirely stupid they must know that they cannot eat the bread without singing the song.

The supreme court's decision menaces Southern state supported institutions of every kind—unless the Southern white people are ready to surrender the practice of race separation. The masses do not know it, but a few of their political leaders would deliver them into the hand of the negroes rather than give up their miserable little jobs.—Charleston, S. C. News and Courier.

Birmingham, Ala., Age-Herald
December 13, 1938

Birmingham Homicides

Birmingham's murder record has improved somewhat through the years. This town no longer is a "Murder Capital," a dubious distinction it won for itself during a period in which our murder ratio stood extraordinarily high among the civilized cities of the world. But Birmingham cannot yet be proud of its murder record.

During the first 11 months of this year there were 67 homicides in Birmingham. Of this number 10 involved white persons, the other 57 involved Negroes.

Here is an opportunity for leaders, both white and Negro, to help reduce crime. It is an opportunity for the police, the courts, the public prosecutors and, most of all, jurors, to help remedy a condition that needs attention.

The blame for the high murder rate among Negroes must be shared by the white population. All crime involving Negroes, including petty crimes, should receive more careful attention. But the greatest room for improvement is law enforcement in assault and battery cases involving Negroes.

Judge Abernethy and Judge Martin, who hear most of the minor criminal cases involving only Negroes, have made an attempt during the last few years to discourage violence among Negroes. White jurors should cooperate on this front.

When white policemen, white judges and white jurors in Birmingham become less tolerant of assault cases involving only Negroes, then the homicide rate among Negroes certainly will show further decline.

Richmond, Va., Times-Dispatch
December 19, 1938

Negro Graduates' Ability

THE decision of the United States Supreme Court granting Negroes equal right in institutions of higher learning in the States, thrusts upon the South a problem that it is far from ready to meet. Yet, if greatly increased expenditures for professional training for colored students must be made, a study of the records of Negro college graduates will be reassuring. The first Negro student received an academic degree in the United States 110 years ago, and CHARLES S. JOHNSON, head of the department of social science at Fisk University, recently made an intensive study of the records of 5,512 living Negro college graduates.

It may almost be taken for granted that Negroes who have been able to overcome the economic and social obstacles that have stood in their path toward higher education, are ambitious and superior members of their race. But the fact that this superior Negro group has to its credit some high achievements in the professions and has served well the masses of its race, offers the assurance that properly planned institutions for the higher education of Negroes, return the investment that is made in them, on the basis of economic values alone.

There were 3,518 male Negro college graduates in the group studied by DR. JOHNSON. Of this number, 2,881 reported incomes, the rest either being engaged in graduate study or unemployed—the study was made during the depression. Of the employed graduates, 6 per cent (172) of the men had incomes of $5,000 a year or more, and 18 in this group had incomes of $10,000 a year or more. Even more impressive was the record of steady progress made by these college graduates. The group studied by DR. JOHNSON showed an increase of 67 per cent in earning power during the first five years after graduation. Those with 18 to 22 years experience enjoyed an annual average annual salary of $2,488.10.

In summarizing the results of his study, DR. JOHNSON made a note on the Negro's stake in social adjustment which seems particularly apt in view of the Supreme Court's decision. "By virtue of the fact that the problem of the American Negro today is moré acute than that of the rest of the population," said DR. JOHNSON, "he has a greater spur to control and self-correction in adjustment to, or in anticipation of, broad institutional changes in progress or impending."

Savannah, Ga., News
December 14, 1938

The United States Supreme Court has ruled that Missouri must admit a negro to the University of Missouri law school because it has built no law school for negroes and equal opportunity for all is guaranteed by the Constitution. Justices McReynolds and Butler dissented, saying the state had afforded such equality by offering to pay extra expenses of negroes attending law schools in other states. Justice Butler was born in Minnesota and never lived in the South. Justice McReynolds was born in Kentucky, studied law in Virginia and practiced in Tennessee, but he moved to New York more than thirty years ago.

Charlottesville, Va. Progress
December 13, 1938

Decision On Colored Students Seen Hitting Virginia Schools

Provisions Will Have To Be Made For Applicants Who Are Seeking Postgraduate And Professional Study Facilities In State Colleges

President John Lloyd Newcomb, of the University, said he did not want to comment on the possible effects of the Missouri case until opinions become available from the Attorney General. Approximately 200 colored students applied for admission last autumn at the University. These applicants were referred to the State Department of Education for action on the scholarship fund.

RICHMOND, Dec. 13—(AP)—Non legalistic interpretation of the U. S. Supreme Court's decision that the University of Missouri law school should admit Lloyd Gaines, colored, made it seem likely today that Virginia must either provide postgraduate and professiona study facilities for colored at the State College at Petersburg, or admit them to corresponding classes in such State institutions as the University.

Virginia now has a provision for caring for colored seeking postgraduate study similar to that of Missouri. The 1936 General Assembly authorized State institutions which deny admission to qualified colored students to aid these students in getting instruction outside the State.

The institutions were to pay "such sums. . .As may be necessary to supplement the amount which it would cost such persons to attend the said State college University or institution."

Approximately 50 Virginia colored have been given financial aid under this ruling. Most of them attended Columbia University while others went to the Universities of Chicago and Michigan.

The Supreme Court held yesterday that the State of Missouri was bound to furnish within its borders facilities for education of colored which were substantially equal to those afforded white persons.

Dr. J. M. Tinsley, president of the Virginia Conference of the National Association for the Advancement of Colored People, said no immediate action was planned but that the association would fight further for equal opportunities for colored students at some time in the future.

Richmond, Va. News-Leader
December 21, 1938

JOB FOR THE SOUTH.

Hopeful agreement appears in many papers today that the decision in the Missouri case will prod the South into decent provision for the primary and, still more, for the secondary education of Negroes.

Less than 10 per cent. of Negro boys and girls of high-school age are enrolled in institutions. Figures of last year show that 785,000 Negro children in the South were enrolled in the first grade, an excellent showing, but that only 18,000 were graduated from secondary schools.

We of the South have done something, though far from enough, to advance Negro elementary schools. This has not been followed by adequate high-school training. Even where offered, most of these high schools are pitifully weak Salaries for Negro high-school teachers in the South average less than $1,000 a year. The term, in many communities is not 150 days a year.

Again, some 2,000 public schools in the South now offer Negroes from one to four years of instruction beyond the primary grades. In cities the tendency is toward four-year courses, but in rural areas most public schools offer only one or two years of high-school work. Many counties have high schools for whites, but none for Negroes, though the Negro population is large.

Just as obvious as this lack of schools is the great inadequacy of funds for the institutions now operated. The census of 1930 for the agricultural South, in which three-fourths of the nation's 12,000,000 Negroes live, showed a per capita expenditure of $44.31 for each white child in a separate school, but only $12.57 for the separately educated Negro.

This grim, un-American discrimination means shorter terms, less equipment and smaller teaching staffs for the Negro schools. It means that Negroes are educated less efficiently and that many of them are handicapped all their lives. Lack of training may prevent them not only from attending college but also from entering any vocation above that of manual labor.

Provision for graduate and professional instruction must be made. The present task is to build a stronger base for this superstructure.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH

Missouri Petitions Supreme Court To Reconsider Decision Admitting Negro To State's University

ST. LOUIS, Mo.—Unwilling to admit the justice of the recent sweeping Supreme Court decision which ordered the University of Missouri to admit Lloyd Gaines, a Negro college graduate, to its law school, the State of Missouri filed a petition December 31st, for a rehearing of the case before the nation's highest tribunal.

Announcement of the State's action was made here by Sidney Redmond, president of the local branch of the National Association for the Advancement of Colored People, and associated with Charles H. Houston in pleading the case before the high court, which resulted in a victory for Gaines and the N. A. A. C. P.

The petition, which upholds the minority opinion expressed in the dissents of Justices Butler and McReynolds, contends that the decision does not take into account the fact that the problem of the races in the South is practical, which must be solved on the basis of actual needs rather than upon purely theoretical considerations.

The high points of the petition hold:

"That the Court's construction of the Equal Protection Clause is a new departure in that previous decisions had confined themselves to discussing who should be protected, whereas this decision lays down the geographical limits within which protection must be afforded.

"That the Supreme Court overlooked the right of Missouri to enter into a contract with another state to supply Gaines with a legal education and that under such contract the out-of-state university would become the agent of the State of Missouri.

"That the Court overlooked the effect of Gaines' failure to apply to the curators of Lincoln University.

"That the question of education of the races in the South is an intensely practical problem which must be solved with due regard for the actual needs of the two races rather than upon purely theoretical considerations. The petition says that the correct approach is the minority opinion: that under the majority the state will be deterred from the normal expansion of its higher education institutions and that the effect of the decision will be to set up a lot of idle teaching staffs, empty classrooms, and no students at Lincoln University."

NAACP TO REPLY

In a statement issued from his office in Washington, Charles H. Houston said that present plans of the Association call for filing a short reply to the petition so as to get on the record a statement of the points made in oral argument."

"Obviously the whole basis of the petition," he said, "is a determination on the part of the State of Missouri to segregate Negro citizens and then make them pay for the segregation. The petition illustrates the state's dual standard of morality, and the utter inability of the officials of the state of Missouri to conceive of Negroes as an integral part of the state."

The Supreme Court decision held that the State of Missouri, in denying Gaines' admission to the University's law school, created "a privilege for white law students which is denied to Negroes by reason of their race." The court went further when it pointed out that the state's substitution of scholarship grants to enable Negro students to attend schools in other states where they could be admitted to universities, "does not remove the discrimination." The decision represented a 6—2 vote of the Justices, with Justices Butler and McReynolds dissenting.

The dissenting opinion, written by Justice McReynolds, said in part:

"Considering the disclosures of the record, the Supreme Court of Missouri arrived at a tenable conclusion and its judgment should be affirmed. That court well understood the grave difficulties of the situation and rightly refused to upset the settled legislative policy of the State."

Southern Papers Favor Gaines-M. U. Decision

Two southern newspapers, one in Georgia and the other in North Carolina, spoke out in favor of the U. S. supreme court decision in the Gaines case.

The editorials follow:

Solution by Letters

—From the Macon, Ga., News.

Southerners are accustomed to sidestepping, by common consent, the question of Negro education as one that is unpleasant and fraught with controversy.

But several pertinent points are completely disregarded in the general attitude of Southerners to the race question. The points of immediate social, political and economic equality, contrary to careless impression, are relatively unimportant.

The immediate problems are those of education and of providing advantages whereby the Negro may improve his own social and economic standards so that he will become an increasingly useful citizen. As this progress is made, the two popularly dramatized problems will solve themselves.

And the matter of education is one in which neglect by the whites has been equalled, perhaps only by persecution of certain other minorities by certain other race majority in another land across the sea.

Yesterday the United States supreme court handed down a decision which throws a new light on the legal duty of states to provide equal educational advantages for Negroes and whites.

The case was one involving refusal by the University of Missouri to admit a Negro to its school of law.

Said the supreme court:

"We are of the opinion that petitioner was entitled to be admitted to the law school of the state university in the absence of other proper provision for his legal training within the state."

The implications of this decision plainly are deep. It bluntly indicates the opinion that, while separate schools may be established for Negroes and whites, it is incumbent upon the states to provide equal standards of education.

From a practical standpoint, the problems involved still are unsolved. Only the principle has been established. Its justice has been obvious but never before has the supreme court ruled upon this particular point.

In most southern states it would be financially impractical to construct separate institutions of higher education for Negroes, and in most of them the number of Negroes applying for university education would not be great enough to warrant such separate schools.

For the present the brightest future for the greatest number of Negroes seems to be in vocational training rather in the arts and professions. But there is no justice in closing to those exceptional members of the Negro race who are equipped to proceed with the professional training the same advantages toward doing so which are available to white students.

If these advantages are kept closed, the almost miraculous progress of the Negro race from the jungle little more than a century ago to conditions of 1938 will be stopped. Development of the race to fit into American social and economic patterns will be retarded to inflame and incite.

Progress toward eventual adjustment seems slow, but such milestones as yesterday's decision of the supreme court appear occasionally to prove that progress, considered in terms of years of history, has been amazingly rapid. It has not been painless and there will be strains and stress to come. But it is for the advantage of both races which live together in these southern states that the Negro be given tools to build himself a brighter future. For in his future, as much as in the future of any other population group, is concerned the progress of the whole people.

Georgia's state universities won't be flooded next fall with Negro students. Nobody need be frightened about that. But when the day comes when a Negro student of good scholastic record applies for admission in Georgia Tech or the University of Georgia, there should be no fuss, no hesitancy. He should be granted registration and an opportunity to learn. And his problems of student relationships probably will not be as acute as they would have been 20 years ago.

St. Louis NAACP Pledges Aid to Mo. Law Student

ST. LOUIS, Jan. 19—(ANP)—In a meeting held last week by the St. Louis NAACP branch, the local organization voted to help defray the expenses of Lloyd L. Gaines when he enters the state-supported law school in Missouri next fall.

Gaines, principal in the case in which the United States supreme court decided that the state of Missouri must either admit Negroes to the University of Missouri Law School or establish a law course at Lincoln university, appeared before the organization to give the first of a series of talks he is scheduled to make. He said that he was anxious to begin his legal studies next fall at Missuori or Lincoln university, if a law course is instituted at that school, but that he was not financially able to do so.

In his talk, Gaines said that Negroes had been kept out of the university because "some groups" feared the competition of the educated Negro. "Japanese, Chinese and Mexicans were allowed in the school," he said, 'because they would go home after graduation and not enter into competition with natives here."

Henry D. Espy, attorney and chairman of the executive committee of the NAACP branch, proposed the resolution to aid Gaines, calling attention to "his sacrifice in waiting three years for that which others get without waiting."

NORTH CAROLINA LEADS

Following close upon the recent Supreme Court decision which permits Lloyd Gaines, a Negro, to matriculate in the Graduate Law School in the University of Missouri, thereby establishing a precedent in the history of education in the former slave states North Carolina continues to hold her place of leadership in offering educational opportunities for Negroes by planning to set up a graduate school at the North Carolina College in Durham. We are **not surprised at the action of the** very fine, Sunday School teaching Governor Clyde E. Hoey, who recommended to the State Legislature 'that funds be provided for this purpose.'

The ideal situation would be for Duke at Durham and the institution at Chapel Hill, presided over by the liberal E. P. Graham of the University of Chicago, to let down the bars and admit qualified Colored graduate students. It would be cheaper and more American. In the short or long run it will obtain. In this also North Carolina will doubtless lead. The perpetuity of American institutions depends upon the effectiveness of our educational system People cannot be educated separately and be expected to live together. Racial separatism and exclusiveness must go. God wills it America must rise up and give the lie to totalitarian segregation. More power to Governor Hoey. May the tribe of Graham increase.

Says He Would Prefer To Attend Lincoln University

ST. LOUIS, Mo.—Lloyd Gaines told newspaper men this week that he would enter the University of Missouri at Columbia to take a course in law. Gaines' announcement comes after [illegible] to enter the University of Missouri to the United States Supreme court and winning. He plans to enter there this fall.

At the same time, however, Gaines explained he would prefer to attend Lincoln University, the state-supported Negro school at Jefferson City, if a law school is established there. The Supreme court recently held that the board of curators of the University of Missouri must admit Gaines to the university's law school or the state must establish law courses at Lincoln.

A MESSENGER OF GOOD WILL

As we listened to the brief talk made by Martin Jmansky, associate editor of the student publication at the University in Columbia, before the Youth Conference in this city last week, we could not help but think that surely he was a messenger of good will. His address made us feel that all the white folk in Missouri were not as bad as we had been led to believe.

Mr. Umansky, who is a student at the University of Missouri, has been in that institution ever since Lloyd Gaines, a Negro, applied for admission to the Law School at the state's highest educational institution of learning. We were impressed by this young man's remarks that the "Gaines case" had been a subject of frequent discussion among the student body as well as among the faculty of the university during the past two years. He thought that the consensus of opinion was, particularly among the students, that any Negro student at that institution would be looked upon as "just another student." "Of course," he said, "at first there might be a feeling of opposition because of the other students not being accustomed to seeing a colored student in the class room, but that, in my opinion, would soon pass away."

This expression, coming from this young man, is what we are pleased to call an echo from an editorial appearing in the student publication of which Edward Macklin is the editor. Mr. Macklin is also a student at the university in Columbia and we believe him to be an expression of the spirit of the youth who attend the University of Missouri. The words found in the editorial under the caption, "The Inevitable Mr. Gaines," fell upon our ears as a message of good will. If the backward people of Missouri who are running things in the state are "dying hard" over the decision of the United States Supreme Court which opens the door of the University of Missouri to Negroes, we recommend them to the words and spirit of the editorial appearing in the student paper, issue of December 14th. We advise them to read and think, and then read and think again. The young people in the University of Missouri are living in the present. The Board of Curators which would deny a Negro admission is living in the past The spirit of the students is forward for all, while the spirit of the old-timers is stagnant, or status quo. The spirit of the students is all men up, but the spirit of the old-timers is special privileges for some.

Seeing the spirit of the officials of the university, the students there have sense enough to know that these officials are endeavoring to plant in them the seed of racial hatred which may not always be limited to the Negroes. The students want to be free men and women, but know that they cannot be free if steeped in the spirit of racial hatred.

And since the young generation of the state, are tiring we believe of being held back because of the backwardness of the older generation, we imagine that many of them are ready to cry out from the depths of their souls, "how long, oh Lord how long before we will be delivered from this dead body?" It may require a few more deaths——it may require many more, but we know that those in the position of leadership today in the state of Missouri must be born again, they must have a new religion which will open their eyes to the things around them. They must be able to see that the inevitable is before them. Eventually——why not now?

It was interesting to the writer to note that the Supreme Court of Missouri has docketed the Gaines case for the May term of that court. In so doing we suppose that no effort was made to hide the fact that this was merely a method of what might properly be called "marking time." And while we do not say that such action on the part of the State Supreme Court is in contempt with the decision of the United States Supreme Court, yet, as a layman it appears to us as though a contempt charge might lie if the matter were brought to the attention of the United States Supreme Court through the proper channel. We get no pleasure from the thought that it may be necessary to resort to some method to make the state obey the mandates of the United States Supreme Court. If the state Supreme Court had the spirit of fairness as we see it there would be no cause for evasion or substitution in a matter that has been tried through all the state courts and in the United States Supreme Court and has been decided in favor of the Negro. It is our opinion that despite these things the inevitable must necessarily face the judges of the State Supreme Court.

Our interpretation of the mandates of the United States Supreme Court is that Negroes must be admitted to the University of Missouri in the absence of the state furnishing equal educational facilities for them somewhere else in the state. That seems to us as being pretty plain language and it does not take a Socrates to understand it. It is our further belief that the state of Missouri cannot, or will not provide a law school or any other graduate school for Negroes in the state equal to that furnished white students at the University of Missouri. If there are those who differ with this opinion we should be pleased to hear from them.

Says Nothing Will Happen When Missouri Admits Race Students

Atlanta World - Atlanta, Ga.

White Students Not Bothered, Reporter Finds

KANSAS CITY, Mo.—(By Lucile Bluford for ANP)—Those who fear trouble if a Negro student attends the University of Missouri may rest easily—there will be no trouble, no violence of any kind. That is the one significant thing that my attempt to enroll brought out.

After spending two hours on the M. U. campus as a prospective student, I am thoroughly convinced that the students are not perturbed over a Negro's entrance. I found the students no different from those at K. U. where I was a student for four years. Some are friendly, most of them indifferent. I found no animosity.

2-5-39

During all the time that I was on the campus, students passed me on the campus sidewalks, in the halls, on steps with hardly a glance. They paid no more attention to me than to any other new student enrolling for the first time. When I asked my way about the campus—looking for Jesse hall the registrar's office, the enrollment room—they answered my questions politely as if my being there was a matter of course.

ONLY ONE FLUSHED

Only one student flushed when he saw me. It was the young man who was handling enrollment blanks at the door leading to the room in the University library where students enrolled. When he saw me approaching the journalism enrollment room, he fingered the errollment blank, not knowing whether to give it to me or not. His embarrassment was relieved when I told him, I wanted to see Dean Martin.

Dean Martin was very cordial. He said that he had received my transcript, that I had had enough journalism courses at K. U. to allow me to begin work on my master's degree. I could not enroll however, without a permit to enroll which had to be obtained from the registrar's office. I was refused to permission to enroll.

I talked to several journalism students who are on the staff of the Missouri Student, official student publication. One of the students expressed surprise that I had been denied admittance. "Isn't that mandate here?" he asked.

A member of the journalism faculty said that the professors and instructors had no objection to teaching a Negro "We are here to teach the students who come here," he said. "It makes no difference to us who they are."

KNEW OF CALL

A journalism student who is correspondent for a press service asked whether I worked for The Call. When I told him I did, he said, "It's the best weekly in the state." Surprised that he knew of The Call, I asked, "Do you read it?" He answered, "Of course."

Then he told me that he had heard that it was planned to keep the mandate away from Columbia for at least two years. "Some system, isn't it " he commented.

Missouri has the strongest school of journalism in the country. It was the first established in the United States. Students come from all over the world to study journalism in Missouri.

After being "in the field" for five years, I think it is time for me to "brush up" in my field. That's why I planned to return to school. My logical choice is M. U.

Lovely Lucile

FOREIGNERS ENROLL

2-5-39

While I was waiting in the registrar's office, I saw students from many foreign countries receive their permits to enroll. There was one boy from Portugal who wanted to study journalism. He was admitted.

During the first semester of this year, Missouri U's student body had representatives from 11 foreign countries, all of the states in the union and every county in Missouri. There were nine students from Canada, six from China, five from Hawaii, four from Turkey, three from Porto Rico, two from Panama, two from Albania, one from Cuba, one from Cyprus, Mexico, and one from the Phillipine Islands. I am a resident of Missouri.

Last semester there were enrolled 172 students from Illinois, 100 from New York, 64 from Oklahoma, 56 from Kansas, 53 from Texas, 47 from Iowa, 40 from New Jersey, 28 from Arkansas, 27 from Colorado, 24 each from Pennsylvania, Minnesota and Nebraska, 20 each from California, Connecticut and Michigan.

They come from everywhere to Missouri U. I live in Missouri.

Denied Entrance To University Of Missouri Journalism School, Negro Student Will Sue

Attorneys for the National Association for the Advancement of Colored People have been instructed to file a writ of mandamus against the University of Missouri to compel the university to admit Miss Lucille Bluford to classes in the graduate school of journalism.

Suit

A suit in the federal court of Missouri has also been undertaken in an action to obtain damages from the university's registrar, S. W. Canada, and all other officials who took part in refusing Miss Bluford admission. The damage suit was filed in an effort to gain compensation for loss of half a year's training and the probable loss of the balance of the year's work, suffered by Miss Bluford in establishing her right to attend the school through legal action.

Denied

The registrar of the university refused the young woman admission September 14, when she visited the university office to register. The registrar refused to heed her statement that Lincoln University, a Negro school at Jefferson City, did not offer journalism, in answer to his assertion that she should have applied there for entrance. Miss Bluford is a graduate in journalism from the University of Kansas.

With these actions taken against the university, together with the move for a rehearing of the Gaines case, the association has served notice on the Missouri officials that the fight will be pushed vigorously on every front. Quick action on the part of N. A. A. C. P. attorneys in every case where Negro students are refused admission to any type of graduate school, was set forth in the announcement.

Where Is He?



LLOYD GAINES

Principal in the famous Gaines Case who failed to answer when his name was called for taking of depositions at the Lincoln U. Law School Tuesday. The N.A.A.C.P. has been conducting a search for him since last May but without success.

12-13-39

Justices Studying Mo. Case

Atlanta, Ga
5-29-39

Question Possibility Of Law School

JEFFERSON CITY, Mo.—(ANP)—The Lloyd L. Gaines case, sent back by the U. S. supreme court to the Missouri supreme court with a mandate that Gaines should be admitted to the University of Missouri law school in the absence of an equal law school for Negroes in the state, was up before the Missouri high tribunal Monday with six of the seven judges sitting. The lawyers for the university had prepared a long brief in an attempt to show that the recent Taylor bill passed by the legislature had sufficiently provided for a law school to be established at Lincoln university. Representing Gaines were Charles H. Houston of Washington, S. R. Redmond and Henry Esby of St. Louis.

The only points for argument were those not decided by the United States supreme court, whether or not mandamus was the proper remedy and the effect of the Taylor bill which makes it mandatory upon the bord of curators of Lincoln to establish schools to make it equal with the University of Missouri. The Taylor bill has a companion bill which appropriates $200,000 to establish and operate for a period of two years a school of law, schools of medicine, journalism, business administration, business engineering mines and a graduate school of arts and sciences. The state university has all of these schools, and Lincoln does not.

ON LEGAL BASIS

Atty. Redmond told the court there was still no provision for the legal education of Negroes in Missouri and the only change brought about by the Taylor bill was a paper change which leaves the situation exactly as it was when the case was first tried; that the allegations in the petition and the evidence are as true today as they were when this case was argued before the Missouri supreme court and when the opinion of this court was reversed by the United States supreme court in 1937.

Atty. Redmond said, "No problem is settled until it is settled right. We urge your honors to decide this matter purely on a legal basis, and not on extraneous matters injected by opposing counsel. Negroes have fought this case four years and if necessary will continue on the same legal front four more years and four times four to the end till justice prevails."

Atty. Houston told the court that the question of procedure was not really up because the original suit was for a writ of mandamus and when the court accepted jurisdiction of the matter, it thereby admitted that mandamus was the proper remedy.

JUSTICES INTERESTED

"The only time the court can consider is the present," the lawyer said. "Missouri must have a law school in actual operation or else admit Gaines to the University of Missouri law school. In no other way can the United States supreme court mandate be complied with."

Justices Studying Mo. Case

East Tenn. News
6-7-39
Knoxville Tenn.

Question Possibility Of Law School

JEFFERSON CITY, Mo.—(ANP)—The Lloyd L. Gaines case, sent back by the U. S. supreme court to the Missouri supreme court with a mandate that Gaines should be admitted to the University of Missouri law school in the absence of an equal law school for Negroes in the state, was up before the Missouri high tribunal Monday with six of the seven judges sitting. The lawyers for the university had prepared a long brief in an attempt to show that the recent Taylor bill passed by the legislature had sufficiently provided for a law school to be established at Lincoln university. Representing Gaines were Charles H. Houston of Washington, S. R. Redmond and Henry Esby of St. Louis.

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Judge Gantt, oldest member on the bench, asked whether Missouri must have an actual law school established at Lincoln if it is to prevent Gaines from attending the university.

Chief Justice Tipton asked if counsel for Gaines took the position that the school must be in existence now or in September, when school opens. Houston replied that the time for the court to consider is the present time. Then the court asked if it could not write an opinion which would enable Gaines to go to the University of Missouri law school, but only on the condition that no law school be provided for Negroes in the state by September. Counsel for Gaines took the position that the court could not write such a conditional opinion.

An unusual feature of the argument was the mentioning of the fact to the court that Miss Lucello Bluford of Kansas City had applied to enter the school of journalism last January and was denied admission by the university because the Gaines case is still pending. Miss Bluford was in the court room and was pointed out by Houston.

The court is expected to render its final mandate during the summer.

DISCRIMINATION - 1939

NATIONAL CIVIL RIGHTS LEAGUE



MAURICE W. SPENCER
of Washington, D.C., president National Equal Rights League, who was in Boston last week conferring with members of the League. Mr. Spencer has been spending some time in Providence, R. I., with friends and later will visit his daughter in New York before returning to Washington.

WINNER, LOSER ?

New Jersey Woman Wins Right to Use Long Branch Beaches, But Court Declines to Invalidate Restrictive Ordinance.

TRENTON, N. J., Sept. 21—(By Irvine Turner for ANP)—The Supreme Court declared on Monday that Allie Bullock, Long Branch woman, was entitled to a permit to bathe at any of the city's four ocean beaches. but it dismissed her attack on two municipal ordinances for technical reasons.

Mrs. Bullock charged the ordinances adopted by the city to regulate bathing were invalid in their entirety, and should be set aside. She charged discrimination.

But Justice Joseph B. Perksie, writer of the court's opinion, said that both ordinances "appear to be innocuous," and added that "the fact they are illegally administered does not render them void in toto."

The court would not set aside the ordinances, Justice Perskie said, until the woman had been convicted of violating one or both of them. "It is only in that manner," he wrote, "that the illegal administration of an ordinance, not invalid in toto, may be properly brought before the court for review."

Noting that it was established that "the dignities, equalities and rights of citizenship cannot legally be denied members of the Negro race," Justice Perksie said the suit was dismissed without prejudice. Mrs. Bullock, he said, could seek a Supreme Court writ to compel the city to grant her a permit without regard to the color question—a permit she is entitled to have.

Mrs. Bullock requested the city grant her bathing privileges at Beach No. 1, but the city said she would have to use No. 3 beach. Justice Perskie said that it was clear that the agreed and determined policy or plan of regulation is based on the admitted premise that the governing authorities did not want members of the black race to intermingle with members of the white race on the beach.

School Head Upholds Jim Crow Pupil Rule

PLEASANTVILLE, N.J. — Refusing to remedy conditions in the Park Avenue School and terming the protests of parents a racket for political purposes, Simon Horstick, white superintendent of schools, addressed a meeting sponsored by the Young People's Progressive League, Tuesday, at the Pleasantville High School.

During the past school term the parents have charged that the colored pupils were humiliated, forced to use inferior toilet facilities, and in many cases passed another school to get to the Park Avenue School. Protests against these conditions were sent to Charles Elliott, State superintendent of school, in May.

Horstick not only refused to allow the colored pupils to attend the school nearest their homes, but threatened to dismiss colored teachers in order to bring pressure to bear on the protesting parents.

Bus Company Charged With Discrimination

ATLANTIC CITY, N. J. — Charges of discrimination against Negroes using the facilities of the New Jersey Public Service Commission for interstate transportation were made here last week by Percy E. Conrad, president of the 8th District National Alliance of Postal Employees, Mrs. Conrad Mrs. K. Coleman, all of East Orange, N.J. and Howard Day, dean of Frederick Douglass Junior High School, New York City.

During the past several months there have been numerous complaints from colored persons using the Public Service busses that the operators assigned the colored passengers to seats over the wheels. When the colored passengers would point out that there were other seats available the operator would insist that all vacant seats were "reserved." Many of the camplainants declared that white persons whose tickets had been purchased long after those of the complainants would be given the preferential positions in the bus.

Mr. Day, returning from Atlantic City to his home in New York, was accompanied by Mr. and Mrs. Conrad and Mrs. Coleman. Tickets were purchased in advance at the shore terminal shortly after seven o'clock last Sunday night. The party boarded the bus scheduled to leave at 7:30.

Mr. Day describing the incident said:

"The bus driver collected tickets and assigned us to seats which we discovered were directly over the rear wheeels and when we protested we were given our choice of seats — over the wheels or the back seat.

"Naturally, we refused to consider either of these. Then the driver told us that all other seats were reserved and that we had no reservations. We saw white persons who had bought tickets after we had purchased ours take the 'reserved' seats. Then, we took vacant reclining seats and were cautioned that we'd have to move out of them at Lakewood.

"Several white passengers were picked up along the road. These were allowed 'reserved' seats although their tickets had been purchased when they boarded the bus. The driver actually accepted their money in his hand in full view of the group.

"All members of the protesting party had determined before leaving the Atlantic City terminal that no seats were being held on any of the Public Service busses. Seats were not vacated at Lakewood and the group continued their journey in comfortable seats despite threatened reprisals by the driver."

That Jersey Girl White

Long Branch Authorities Wake Up to Find Her Chief Witness in Suit to Open New Jersey Beaches to All Bathers

NEWARK, N.J. —A pretty Cranford, N.J., girl, fair enough to pass for white, turned the tables on Long Branch, N.J., officials by purchasing beach tickets for seven darker persons for bathing beaches closed to colored.

The sensational story is related in the official transcript of depositions taken recently in the Long Branch beach segregation fight now in Supreme Court.

The girl is Miss Virginia Audrey Flowers of 200 North Avenue, Cranford, prominent in the exclusive younger North Jersey social set and a regular Long Branch vacationist.

She is a high school senior and the daughter of the Rev. Mr. and Mrs. Emmett Flowers.

Walter Upperman, Roger M. Yancey and Robert S. Hartgrove, counsels for Mrs. Ollie Bullock, who filed suit in Supreme Court to have the Long Branch beach ordinance declared unconstitutional, placed Miss Flowers on the stand after they had forced City Clerk J. Arthur Woodring to admit before Supreme Court Justice Perksie that "beach No. 3 at Long Branch was set aside as a segregated beach for colored people."

Thought She Was White

Upperman explained to the court that in any other country Miss Flowers would be regarded as white. During the third week of last July she testified that she bought seven badges for Miss Cathleen Mumby, Sylvia and Alice Gallard, Mrs. Victoria Leon, Mr. Leon, and herself. The city clerk thought the whole party was white and sold them badges on other beaches than No. 3.

The depositions were given in Justice Perksie's chambers at Atlantic City last month and the printed transcript was made public this week by Mr. Yancey who with Mr. Hartgrove represent the National Negro Congress in the beach fight.

Mr. Yancey said recently that the city of Long Branch, foreseeing defeat if the case continues, offered to abolish the segregation ordinance and pay the costs of the suit if Mrs. Bullock withdrew her action.

"We are certain of victory," Yancey said. "But hotel and other interests, not only in Long Branch but in other resorts—Asbury Park, Atlantic City, Cape May and other centers, would also be affected by a Supreme Court decision. We are fighting the matter through."

Say Mayor Had Hand

The court hearings revealed that Long Branch clerk Woodring had been forced to segregate colored on Beach 3 at the insistence of Mayor Alton Evans of Long Branch and other city officials.

Candidate For Civil Service Post Finds He's Qualified In Everything But Color

Ira Collins of Jersey City, Who Accused City Official of Bias, Loses Case In Court.

TRENTON, N. J., Jan. 26—Ira Collins of Jersey City lost his Supreme Court case against Commissioner of Motor Vehicles William A. Magee, Wednesday, when Magee was sustained in his action rejecting Collins as a motor vehicle inspector despite the fact he stood No. 12 on the Civil Service list and the fact that many more than 12 inspectors were named.

The case has been fought for more than a year and was climaexd last spring with a huge mass meeting in Trenton, addressed by Tax Commissioner Hubert T. Delaney of New York.

Justice Case, in his opinion, said the records indicate that Collins would have stood 400th on the list of applicants if his credits for military service had been withheld. He said it was allowance of these credits which elevated Collins to 12th position.

Magee, after interviewing Collins some time ago, advised the Civil Service Commission that he did not possess the required business experience for the job.

The court stated that Magee's letter to the Commission, apprising them of this, recorded a finding of fact. He added that department heads are not controlled entirely by the findings of the Civil Service Commission. He said:

"A degree of discretion is lodged in an appointing official with respect to the business qualifications and fitness of a candidate certified by the Civil Service Commission. The statute is not conclusive. The record does not, in our opinion, disclose any abuse of that discretion.

"If we are correct that far, it follows that Collins, in failing of the appointment, was not deprived of any of his constitutional rights."

In other words, the court's ruling is that although a candidate might stand ever so high on the Civil Service lists, a department head need not necessarily accept him.

Whether or not the case is appealed to a higher court depends much on finances with which to fight it, it is believed. Collins lives at 17 Astor place, Jersey City and was represented in later phases of the case by Atty. Mike Carter of that city.

Theatre Makes Hampton Pay for Reporters

NEWARK, N.J. Two reporters were invited by the management of the Shubert Theatre here last week after interviewing Lionel Hampton, star player of Bennie Goodman's band.

Hampton had sent the two to orchestra seats to see the show and ushers attempted to make them move up to the balcony. Failing this, the management made Hampton personally pay for the two seats and banned any visitors to his dressing room for the remainder of Goodman's appearance.

Goodman and Artie Shaw have held a two-week swing war in rival theaters here. Colored patrons have crowded in but both theatres, the Shubert and Paramount, have adhered strictly to segregation of colored in the balcony, although the Paramount advertises weekly in the colored press.

Goodman, who has shown opposition to race prejudice in the past, took no action in the Hampton incident.

Marriage Proposals Pour In On Virginia Flowers, Who Outwitted Whites In Big Segregation Issue

Jersey Co-ed, Who Can Pass For Ofay, Bought Tickets For White Beaches and Distributed Them To Friends.

CRANFORD, N. J., Feb. 2—They have had to enlarge the mail box at 206 North Avenue E., home of Miss Virginia Audrew Flowers, the "heroine of Long Branch."

In recent weeks she has received a mountain of "fan mail" since it was revealed a month ago that she turned the tables on the rulers of Long Branch, N. J., when they sought to segregate Negroes on Beach No. 3.

Miss Flowers, who can pass for white, bought a strip of tickets for the white beaches and gave them to friends. She was a surprise witness for the plaintiff when the beach segregation case was given an initial hearing in Supreme Court, Miss Flowers offered dramatic proof that the color of one's skin alone dictated where they might bathe in the free Atlantic.

Since this fact became known Miss Flowers has been lauded from coast to coast. Her testimony so demolished the case of the city of Long Branch that its rulers have sought in vain to have counsel for the plaintiff to drop the case and let Long Branch pay all costs.

The lawyers insist they will fight the case to the limit. Although Long Branch has already capitulated, a Supreme Court ruling in favor of the plaintiff gives Jersey a legal precedent to wipe out beach segregation all along the Jersey shore.

Miss Flowers gets letters of many kinds, mostly in praise of her action. Her mail has included the usual proportion of proposals, most of them from distant states. She keeps all the letters in her rapidly growing scrapbooks.

She is not thinking of marriage however. Only 17, she is a student in Cranford High school and her thoughts are bent on completion of her education. However in her leisure time she is a shining light in the exclusive younger social sets of New York and New Jersey. She has not yet decided upon a career.

GLAMOUR GIRL AND ATHLETE



Miss Virginia Audrey Flowers of Cranford, N.J., who en[tered the limelight recently when she was witness for] plaintiff [in the] Long Branch, N.J. beach segregation [case, she is seen with Ossie Jordan of Newark, former Virginia] State football star, snapped during Howard-Lincoln basketball game at Orange, N.J. last week. Miss Flowers, daughter of the Rev. Mr. and Mrs. Flowers of Long Branch, fooled white beach officials by "passing," then buying passes to white beaches. In supreme court she confused defendants by her testimony which exposed fallacy of racial prejudice.—Photo by Ackiss.

Why Should Race Wear Beach Tags?

LONG BEACH, N. J., July 28.—The National Association for the Advancement of Colored People will test the validity of a city ordinance here requesting Race members to wear tags on the beach.

The arrest of two women, Miss A. Ruth Moore, and Miss Vivian Gwathny last week for bathing without buying the jim-crow tags constitutes the object of the test. This was the first arrest in the segregation of Race bathers.

A fight is already pending in an effort to break down discrimination, and when the case is tried this week, many citizens will await the outcome.

DISCRIMINATION- 1939

NEW JERSEY

V

WHITE WAR VETS REFUSE TO USE 'JIM-CROW' PARK

Essex County Flag Day Celebration Won't Be Staged In Park Which Promised To Abolish Attitude of Segregation For Day.

NEWARK, N. J., Feb. 9—World War veterans of Essex County, last Monday night, went on record against segregation and discrimination in public places. This action was taken at the meeting of the County Flag Day committee at Lieut. Leslie Fummell Post Home, 657 Bergen street. An invitation had been extended to the Flag Day committee to have its parade on June 12, at Olympic Park in Irvington, and plans had been practically completed to accept the invitation of Henry A. Gunther, owner of Olympic Park, when Jas. H. Lindsey, a delegate from Emmitt Guyton Post No. 152, American Legion, stated that no colored veterans would support any celebration held at Olympic Park as long as it continued its policy of excluding Negroes.

It was then stated that the Park management was willing to lower the bars for one day so as to admit the colored participants in the parade. Comrade Lindsey rejected this attempted compromise.

Later a resolution was introduced and passed that the Flag Day celebration would not be held at Olympic Park unless assurances were given that the policy of discrimination on account of race and color would be eliminated. After a stormy debate, the resolution was adopted and a committee appointed to report as to the attitude of the park management. The Flag Day group will hold its next meeting on February 25.

N.Y. Assembly Gets 14 Anti-Jim Crow Measures

Bills Make Unlawful Discrimination in Jobs and Schools

PUBLIC PLACES TO MEAN "PUBLIC"

Proposals Work of $30,000 Commission

ALBANY, N.Y. — Fourteen measures, designed to improve the economic, social, and cultural opportunities of New York's 500,000 colored residents, were introduced Monday in both houses of the Legislature by Legislative members of the Temporary Commission on the Condition of the Urban Colored Population.

The proposed legislation, resulting from a two-year study of the economic, cultural, health, and living conditions of colored citizens throughout the State, was accompanied by a legislative report which charged widespread discrimination in employment, housing, education, recreation, and hospitalization.

Summary of Measures

The bills, introduced in the lower house by Assemblyman William T. Andrews, and in the Senate by State Senators Jacob J. Schwartzwald, John J. Howard, George Lee Thompson, and John J. Mahoney, would seek to:

Deny the benefits of the State Labor Relations Act to labor organizations which deny persons membership or equal treatment by reason of race, creed and color.

Strengthen existing provisions of the law regarding employment by public utilities and provide for maintenance by all public utilities of a merit system of employment with provision for public announcements of vacancies, rating of applications and maintenance of eligible lists.

Strengthen existing legislation prohibiting racial discrimination in employment by contractors who perform State or local public works contracts and by public utilities.

Prohibit any form of racial or religious discrimination in public employment, and setting up procedures for inquiring into and rectifying any such discrimination.

Would Amend C.S. Law

Amend the Civil Service Law, by requiring appointing officers who may pass an eligible in favor of a lower eligible to make sworn certification of the reasons therefor.

Make provisions for extending to all cities in the State formalized procedures in the selection of teachers in the public schools, such as are now in force in New York and Buffalo.

Regulate contracts of public utilities with their employees to the end that a labor union having a closed shop contract with a utility may not practice discrimination against applicants for membership.

Prohibit racial discrimination or segregation in any housing project operated by a public housing authority or owned by a limited-dividend company enjoying tax exemption.

Regulate the procedure for admission to public educational institutions to insure that qualified applicants for admission shall not be excluded because of race, creed, or color.

Make express the withdrawal of tax exemption from educational institutions which deny the use of their facilities, because of race or color, to persons otherwise qualified.

Public Places Affected

Supplement existing statutory provisions designed to insure all persons equal facilities and privileges in places of public accommodation by providing for the suspension or revocation of the license of any place of public accommodation denying such equal facilities or privileges, and enlarging the definition of places of public accommodation.

Amend the Tax Law to deny exemption to non-sectarian corporations and associations holding real property and denying the use of its facilities to persons because of race, creed, or color.

Empower the State Labor Department to investigate complaints of discrimination by public works contractors and grant redress to affected persons by way of action for civil penalty.

Amend the Penal Law to make discrimination in Civil Service employment because of race, creed, or color punishable by fine and imprisonment.

Jobs a Problem

In a joint statement issued when the report was submitted, Senator Schwartzwald, chairman of the commission, and Assemblyman Andrews, vice-chairman, declared that widespread unemployment was the chief obstacle faced by the State's 500,000 colored persons.

"We realize that no successful attack can be made on the secondary problems of New York's colored citizens," the statement read, "until the basic handicap of inadequate income is removed.

"Bad housing, juvenile deliinquency, high mortality rates and attendant evils will continue as long as vast areas of possible and preferred employment are barred to a large percentage of the colored population.

"Public Aid Needed"

"We realize that there is need for State-wide action beyond what can be accomplished through legislation alone. Laws can set the pattern for community improvement, but they reach maximum effectiveness only with the support of an aroused public opinion which understands their importance."

The commission was created in 1937. Beginning work under a budget of $30,000, it was continued in March, 1938, with a $25,000 appropriation.

During its two-year investigation, public hearings were held in Manhattan, Brooklyn, Albany, Buffalo, Rochester, Syracuse, White Plains, Jamaica, Hempstead, and field surveys made in Poughkeepsie, Binghamton and other urban centers in the State.

Commission Members

Members of the commission include:

Senator Schwartzwald, chairman; Assemblyman Andrews, vice-chairman; the Rev. Michael Mulvoy, secretary; State Senators John J. Howard and George Lee Thompson; Assemblyman James E. Owens, former Assemblyman Robert W. Justice;

Henri W. Shields, Augustine A. Austin, Dr. Edward Jones, Elizabeth Ross Haynes, and Lillian Alexander.

Gerald E. Allen is the executive director; Lewis Mayers, counsel, and Charles L. Franklin, director of research.

HOTEL REFUSES TO SERVE FATS WALLER AT BAR

NEW YORK, March 9 — Although the Hotel Park Lane in a statement this week denies alleged reports of discrimination against Fats Waller during a jam session Friday, Waller admitted that he had been refused a drink at the bar of the exclusive hostelry.

Waller, although he said he preferred to forget the incident, stated that a bartender at the exclusive downtown hotel suggested that he receive his drinks while seated because "white patrons of the hotel might resent drinking alongside of a colored person."

Not wishing to create a disturbance, Waller said he left the bar, but on the invitation of Jack Fnieberg, secretary of the Musicians Union Local 802, an affiliate of the American Musicians society who sponsored Friday's jam session, went to the bar to have drink with him.

Refused Service

It was then, Waller said, he was refused. The assistant manager of the Park Lane hotel, a Mr. Barry, when contacted for a statement regarding the alleged prejudice at the hotel stated: "It is not the policy of the Park Lane hotel to discriminate against any patron because of race, color or creed", adding "I'm quite sure nothing like that happened here."

The incident caused quite a furor in Harlem and Broadway music circles, downtown musicians insisting that despite the hotel's denial that such a situation existed that Waller was denied service because of his color. The jam sessions are sponsored every Friday at this hotel and some of the leading colored and white artists appear.

HARLEM WOMEN WAR ON RACE PREJUDICE

Launch a Campaign to Deluge Albany With Protests

Charging racial prejudice in employment, education, housing and other fields, speakers at a meeting yesterday of the Harlem Women's Committee to Promote Anti-Discriminatory Legislation likened conditions in this State to those in Mississippi, and drew from 100 committee members pledges to get 100,000 Harlem residents to send to Albany a "blizzard" of postcards making known their views. The meeting was held at the Mimo Club, 2,237 Seventh Avenue.

"We haven't got the Mississippi chain gang, the sharecroppers' condition or 'Judge Lynch,' but every once in a while they say in effect in New York State to 'lynch the niggar,'" declared Mrs. Lillian Alexander, a member of the State Temporary Commission on the Condition of the Urban Colored Population, which recently concluded a two-year investigation throughout the State.

She said the commission had found "deadly insidious discrimination that will surely destroy democracy if we don't destroy it." Her words were seconded by Assemblyman W. T. Andrews, vice chairman of the commission.

Protesting the action last week of Assembly Committees on Civil Service, Education, Judiciary and Labor in killing seven bills backed by the commission and four others introduced by individual Assemblymen, the Harlem women said they would concentrate on fighting for passage of seven similar bills now before the Assembly Rules Committee.

Other speakers were the Rev. Michael Mulvoy, secretary of the commission; Gerald E. Allen, executive director, and Mrs. Sarah Pelham Speaks, chairman of the women's committee, who presided.

Accuse Standard Brands Of Having Jim Crow Toilets For Employees At N. Y. World's Fair

Old Man Jim Crow came into full view this week at the New York World's Fair when it was reported separate toilets, marked "colored" and "white," have been set up for employees by Standard Brands, Inc., in its exhibit building.

Standard Brands includes such well-known products as Chase and Sanborn's Coffee, Tender Leaf Tea, Fleischman's Yeast, Royal Gelatine, Blue Ribbon Mayonnaise, and others.

A vigorous protest against the jim crow lavatories was sent to the New York office of Standard Brands at 595 Madison avenue by the National Association for the Advancement of Colored People. The N. A. A. C. P., letter said its lawyers were investigating the possibility of lagal action under the New York Civil Rights law.

The Standard Brands exhibit has about 150 white employees and about 30 colored, including butlers, porters, dishwashers and maids. The separate toilets are said to be the idea of a Colonel Snap and Mrs. Snap who are reported to be in charge of the exhibit.

When the arrangements was protested to Colonel Snap by one of the colored employees, the colonel said that he was responsible for the separate toilets and that they were going to remain there "because he didn't want white southerners insulted."

STANDARDS BRANDS HAS JIM CROWS TOILETS AT NEW YORK WORLD'S FAIR

New York, May 13.—Old Man Jim Crow came into full view this week at the New York World's Fair when it was learned that separate toilets for employees, marked "colored" and "white", have been set up by Standards Brands, Inc., in its exhibit building.

A vigorous protest against the jim crow lavatories was sent to the New York office of Standard Brands at 595 Madison Avenue by the NAACP. The letter said its lawyers were investigating the possibility of legal action under the New York Civil Rights law.

The Standard Brands exhibit has about 150 white employees and about 30 colored, including butlers, porters, dishwashers and maids. The separate toilets are said to be the idea of a Colonel Snap and Mrs. Snap who are reported to be in charge of the exhibit.

TWO BILLS TO CURB RACIAL BIAS PASSED

Measures Covering Stores and Elevators and Civil Service Are Sent to Governor

CITY AUTO PLAN ADOPTED

Coudert Bill Requires Storage in Apartment Houses—Aimed at Night Parking

Special to THE NEW YORK TIMES.

ALBANY, May 4.—Two bills sharpening the teeth of the present law to guard against racial discrimination were passed by unanimous vote of the Assembly today and sent to Governor Lehman. Both measures were sponsored by Senator Schwartzwald of New York and are part of the program of the joint legislative commission on racial discrimination.

One measure enlarges the definition of places of public accommodation to include retail stores and establishments, beauty parlors, public halls and elevators of buildings occupied by two or more tenants, to insure equal rights regardless of race, color or creed.

The other requires public officials who pass over an eligible applicant for a civil service position, in favor of a lower eligible, to make a sworn statement that such acts were not related to race, color or creed.

Bill Safeguards Civil Service

The Senate passed another Schwartzwald bill prohibiting racial or religious discrimination in civil service employment. Any person who feels that he has been discriminated against in civil service appointment has the right under this bill to redress from the Civil Service Commission.

By a majority of 76 to 38, the Assembly passed and sent to the Governor the bill of Senator Coudert of New York providing for motor vehicle storage in multiple dwellings in New York City. With a few exceptions all the negative votes were cast by New York City Democrats.

Assemblyman Moffat of New York, in a brief explanation of the Coudert bill, said that it was designed to take parked cars off the city streets at night. He said that it would be subject to local ordinance an dthat the measure provides that the storage space must be fireproof.

Window-Cleaning Bill Adopted

The Assembly passed the Glancy bill which provides that the safety requirements for protection of window cleaners shall not apply to multiple dwellings. where tenants do their own window cleaning.

The Wilson bill was approved by the Assembly. It provides that in any election involving a constitutional amendment, or proposition or question not more than two watchers may be appointed by any interested political committee.

The Assembly passed the bill, Dunnigan providing that policemen serving in the competitive class of Civil Service cannot be removed except for incompetency or misconduct after a hearing and with the right of court review.

The Senate passed the Nunan bill permitting residents of foreign countries other than Canada to operate automobiles within the State without taking out a State license for a thirty-day vacation period. The bill would be effective from its approval by the Governor until May 1, 1941.

HARLEM CONFERENCE SEES 'DISCRIMINATION'

Fair Management Scored for Negro's 'Menial Position' There

The World's Fair management, which, it was said, has provided only menial jobs for Negroes, was condemned by the Harlem Community Cultural Conference at a two-day series of panel discussions which began yesterday at the Harlem Community Art Center, 290 Lenox Avenue.

Louise H. Johnson, who presided, declared that the "position alloted the Negro gives a false picture of his place in the World of Tomorrow."

"We take as the theme of our conference," she said, "the World of Tomorrow. The Fair portrays the social and economic accomplishments of man up to the present and attempts to look into the future as well. In view of the blind attitude on the part of the World's Fair, the future seems to hold the gloomiest prospects. The Negro is being given only a menial part in a great Fair which is supposed to typify the truly democratic world of tomorrow."

The conference unanimously adopted a resolution condemning "discrimination" by the Fair management and expressing the conviction that the Negro of the future will hold "a higher place in the cultural and economic world of tomorrow than that to which he has been relegated by the World's Fair Corporation."

Other speakers included Rachel Dubois of the Department of Sociology at New York University, Gwendolyn Bennett, director of the Harlem Communtiy Art Center; E. Simms Campbell, cartoonist, and Richard Wright, author.

Standard Brands Abolishes Jim Crow At N. Y. Fair

NEW YORK, May 26.—As soon as the protest of the N. A. A. C. P. came to the attention of the Executive Office of Standard Brands, Incorporated, the dispute covering arrangements of employees at their Exhibit at the New York World's Fair was adjusted to the entire satisfaction of the N. A. A. C. P.

A high official of Standard Brands, Incorporated, stated that the Company does not tolerate offensive or discriminatory arrangements for any racial or religious group. At the same time it was made known that the Standard Brands' Exhibit at the New York World's Fair has one of the highest percentages of Negroes employed of any concessionnaire at the Fair grounds. Standard Brands, Incorporated products includes such well-known items as Chase and Sanborn Coffee, Tender Leaf Tea, Fleischmann's Yeast, Royal Desserts, Royal Baking Powder and others.

SIGNS BILLS TO BAR RACE SEGREGATION

LEHMAN EXTENDS RACIAL BIAS BAN

New York Governor Also Signs Bill to Give Protection to Employees of Public Service — Kills Labor Bill While Extolling Purpose.

ALBANY, N. Y., June 15 — (ANP) — Gov. Herbert Lehman Saturday signed a bill to prevent racial discrimination in the Civil Service and another bill insuring equal rights to all citizens in retail stores, beauty parlors, public halls and elevators of buildings occupied by two or more tenants. He voiced strong approval of the new legislation.

The Civil Service bill permits the person discriminated against to have a hearing before the commission and to receive appropriate relief.

Governor Lehman vetoed the Civil Service bill calling for the appointment of the highest ranking eligible on the ground that it would impair departmental efficiency. He also vetoed the bill designed to destroy labor union discrimination by denying such unions the benefits of the State Labor Relations Act.

"This measure would destroy the essential right of labor," he said, adding that "discrimination would eventually bring organized labor into public disrepute without special legislation."

Both bills signed by the Governor were introduced by Senator Jacob J. Schwartzwald, Brooklyn Democrat. Regarding the first, Governor Lehman wrote:

"This bill protects those who patronize and frequent retail stores and establishments, beauty parlors, public halls and elevators, against unjust discrimination on account of race, color or otherwise.

"In my annual message, I recommended legislation that would give real significance to the new anti-discrimination provision adopted by the Constitutional Convention, and I urged that the principle of non-discrimination be extended to all business affected with a public interest and to all businesses where public patronage is solicited.

"Retail stores and establishments and beauty parlors are clearly businesses where public patronage is solicited. Public halls and elevators are in the same class as public conveyances now protected by the Civil Rights Law.

"This bill is a proper extension of the present provisions of the Civil Rights Law. Legislation that serves to de-emphasize and break down differences of race, color and religion has particular merit in these days of intolerance. This bill does not seek, nor will it result in, the invasion of any person's privacy. It will simply serve to make available to all citizens the facilities of businesses which seek public patronage and means of ingress and egress of multiple dwellings. In a word, this bill reflects the fundamental principles of American democracy."

The second Schwartzwald bill was described by the Governor as providing "effective machinery for the elimination of racial discrimination in the public service.

"It would permit any person denied appointment or promotion, or suspended or dismissed on racial or religious grounds, to appeal to the State Civil Service Commission, or, if in a city, county or village, the Municipal Civil Service Commission," he said.

"The commission is empowered to hold a hearing upon due notice to the appointing officer. If satisfied that considerations of race, creed or color have dictated the appointing officer's acts, the commission must order appropriate relief for the petitioner."

Segregation Spectre Haunts Conference Of Nat'l Social Workers

Mid-Western Hotels Will Refuse to Admit Colored Delegates—Will Not Agree to 'No Discrimination' Policy.

CHICAGO, June 15 — (ANP) — From all indications when the National Conference of Social Work convenes in Buffalo, N. Y., June 18-24, a most bitter fight is likely to be waged on the question of whether the conference should recede from its traditional position that it does not meet in any city which will not agree that there will be no discrimination against Negro delegates in the hotels and other places used by the conference.

HAVE BROKEN DOWN SEGREGATION BARRIER

This organization which boasts of a membership of over 7,000, both individuals and agencies from all sections of the United States, was the first to adopt such a policy, and the position taken by this organization has been followed by many others.

Even when the conference was held in Kansas City, Mo., Negro delegates occupied rooms in the conference hotels and used the dining room facilities. This has also been true in Indianapolis and other cities where prejudice is rampant.

Two or three years ago, the conference was scheduled to meet in Washington—the executive committee having secured in advance assurance that Washington hotels would not driscriminate. A very short time before the conference was to convene, the Hotel Association announced that it could not carry through a non-discriminatory agreement, and at considerable financial loss, the conference was moved to Atlantic City where every accommodation was available to Negro delegates.

NEXT CONFERENCE DUE FOR AREA THREE

The question of where to meet will have special significance at the Buffalo conference because under the plan of rotating the annual meetings, the conference should be held in area three, the West Central district which includes Chicago, Denver, Milwaukee, St. Paul, Minneapolis, St. Louis and Kansas City.

Milwaukee has informed the committee that they will not be interested in inviting the conference if a "no discrimination" agreement is required. Kansas City has also informed the conference that they will not be interested in entertaining unless there is some compromise on the discrimination question.

In its original invitation, the hotels of St. Paul had guaranteed no discrimination, but after the hotel men had had a chance to discuss the matter among themselves, St. Paul served notice that they would not agree to a "no discrimination policy." With no other cities bidding for the conference, there is no alternative except to accept St. Louis, where no Negroes will be housed in the hotels nor permitted to use public dining rooms, nor to select a city located in one of the other areas.

Needed: A Thorough Investigation

• Mrs. Ethel Thomas, Negro WPA housekeeper, has made public charges that an employee of the Morrisania City Hospital, brutally assaulted her, in the course of his duty, several days ago.

According to her statement, she was badly injured after falling down the stairs of an elevated railroad at the 167th Street Station, last May 25th. An ambulance from Morrisania came for her, but instead of assisting her, she claims that an interne viciously attacked her, using his clenched fists. She asserts that her assailant used as a pretext that she didn't "get up and come on" fast enough.

The Daily Worker has brought the matter to the attention of the proper authorities. And Dr. S. S. Goldwater, Commissioner of Hospitals, has assigned an investigator to the case.

There ought to be a full and thorough inquiry into Mrs. Thomas' charges, and with a view to taking such action as the facts warrant.

City Emplove Faces Trial For Saying "Nigger"

NEW YORK, July 7 (ANP,—That it does not pay for a city employe to call a colored man a "nigger" here was shown last week when George Magnussen, white fireman, was ordered to appear before the trial commission of the city fire department on charges of shouting the epithet at Carl Carter, Harlem newsman and feature writer.

Carter was walking in the downtown section in company with a white woman when the fireman called him the name. He proceeded to his destination and returned later with several white friends to protest against his treatment.

The lieutenant in charge gave him no satisfaction. They then took the matter up with Mayor LaGuardia who preferred charges.

Report Jim Crow Tactics On Federal Projects In N. Y.

NEW YORK.—(ANP)—In other sections of the country where federal housing projects have been started, colored workers have been protected by stipulations which provided that neither race was to be discriminated against in employment. New York alone has no clauses against discrimination.

At the instigation of a high federal official, Charles A. Collier, Jr., New York Urban League Industrial Secretary, was requested to make an investigation of the local situation as maintained by the New York Housing Authority.

After a thorough survey, Mr. Collier found that despite assurances of the N. Y. authority, there is evident discrimination on the two local projects, the Red Hook and the Queensbury housing projects.

At the Queensbury site, there are employed approximately 1,500 men of whom 23 are colored. Of this number, only one is in an administrative position, four are skilled laborers, 12 are semi-skilled and six unskilled laborers. Since making the survey, five brick masons have been employed.

At the Red Hook site, there are 29 colored workers employed out of approximately 1,500 workers, without the same number of skilled and unskilled workers.

There has been definite assurance given that there will be no discrimination shown in renting the homes after they are completed. All that is required is that colored people apply in sufficient numbers to see that there is no ground for rejection of all applications. If enough applications are made, some will be found who will fit the rigid requirements of the authority.

Local leaders point out that though the Harlem River homes are all-colored, it is not because of an attempt at segregation but because the project is in a predominantly colored neighborhood, but white people could have rented homes there had they applied and passed the requirements.

White Fireman Faces Trial For Insulting News Writer

George Magnussen, white city fireman, has been ordered to appear before the Trial Commission of the New York City Fire Department on charges of shouting "nigger" at Carl Carter, Harlem newspaper man and a feature writer on the Crusader News Agency.

Carter was walking past the fire company station on West 77th street, off Broadway, in company with Miss Mercedes Bennett, white, when the fireman shouted "nigger" at him and kept up the shout until the couple had crossed the street.

Carter, who was on his way to a concert, returned to the fire station later in company with several white friends to register a protest against the action of the city employe. Lieutenant Sweeny, in charge of the fire station, gave the delegation no satisfaction and the delegation then took the matter up with Mayor LaGuardia. New York's progressive mayor at once ordered an investigation into the incident.

Lehman Hopes Negro Rights Bills Will Pass

Acknowledges Thanks of Citizens Committee Head in Letter

Governor Lehman has written Miss Vivienne France, chairman of the Manhattan Citizens Committee, in acknowledgement of her letter of thanks for his signing the two anti-discrimination bills on June 11.

In his letter to Miss France the Governor said that he hoped the remaining progressive bills sponsored by the Temporary Commission on the Condition of the Urban Colored Population and supported by the Manhattan Citizens Committee would be passed.

The Manhattan Citizens Committee is calling a meeting at the YMCA, 180 W. 135th St., this evening to map out plans for an extensive campaign of education regarding the remaining anti-discrimination bills before the next regular session of the legislature meets.

DR. GEORGE CARVER IS VICTIM OF N.Y. HOTEL JIM-CROW

Forced to Sit Near Wash Room Six Hours At the New Yorker

NEW YORK. — It took the combined efforts of an internationally known publishing house and reporters from three New York dailies and two weeklies to force the Hotel New Yorker to drop its color bar, last week, to admit one of the world's greatest scientists — Dr. George Washington Carver, of Tuskegee Institute.

Dr. Carver, with his laboratory assistant, A. W. Curtis, Jr:, came here last Wednesday to appear on a national radio program. They arrived at the hotel around noon.

Although the assistant bore a letter from the hotel management stating that their rooms were reserved for that date, the two men were informed that every room in the hostelry was filled.

Forced to Wait

The two were escorted to the third floor and offered a chair near the men's wash-room, where they were told they might wait in the hopes that some white guest might vacate his rooms later in the day.

Mr. Curtis telephoned John Woodburn, white, editorial representative of Doubleday, Doran and Company, who had been negotiating for the publication of a book on Dr. Carver's life.

Mr. Woodburn rushed to the New Yorker and sought to make the management honor its reservations. Failing in this, he notified the daily newspapers of the situation.

Under pressure, the hotel finally offered Dr. Carver and his assistant the rooms that had previously been reserved for them. This was six hours from the time the pair had first arrived.

DISCRIMINATION - 1939

NEW YORK

ST. LOUIS JIM CROW HOTEL BAN ELIMINATES CITY

Prejudice-Free Grand Rapids, Mich., Finally Selected; A. L. Foster of Chicago Leads Fight Against Mound City

BUFFALO, N. Y.—(ANP)—As a rebuke to St. Louis and other cities having Jim Crow hotel and other restrictions against colored people, the National Conference of Social Agencies in session here last Tuesday voted to hold the 1940 conference in Grand Rapids, Mich., where the colored delegates were assured full enjoyment of their rights as American citizens.

Action of the conference in voting down the St. Louis proposal for the 1940 meeting followed the recommendation of the time-and-place committee, which also favored Grand Rapids by a vote of 18 to 3.

The three dissenting votes were not cast in favor of St. Louis, but for Atlantic City, where the conference went several years ago after the hotel association of Washington, D. C., repudiated its original agreement that there would be no discrimination permitted.

This last minute change of meeting place cost the conference about $6,000, which "was money well lost for a great principle," according to a conference official. John C. Dancy, executive secretary, Detroit Urban league, and J. S. Jackson, until recently executive secretary, Seattle Urban League, are the two Negro members of the time-and-place committee. Chicagoans on the committee are Philip L. Seman and Audrey M. Hayden.

6-23-39

Board Okays Action

Following the meeting of the time-and-place committee a joint meeting was held with the executive board of the conference, of which Paul Kellog is president. The board immediately adopted unanimously the report of the time-and-place committee, therefore putting its stamp of approval upon their action and further rebuking St. Louis.

A. L. Foster, lone Negro member of the governing body, made the motion after a preliminary statement in which he criticised sharply the attitude of St. Louis and Southern cities generally. George W. Rabinoff of New York city, chairman of the time-and-place committee explained that the conference could not afford to take any backward steps at this time when race and religious hatred are being preached so widely throughout America and the world.

Other Chicagoans beside Foster on the board of directors are Edward L. Ryerson Jr. Roy Sorenson Fred K. Hoehler and Mrs. Clara Paul Paige.

A bitter fight on the matter of place for the 1940 conference was predicted when a preliminary statement, prepared by the chairman of the time-and-place committee and the general secretary, Howard Knight, was sent to members of the executive board.

Kansas City Rejected

Although this statement simply set forth arguments for and against accepting the St. Louis invitation, it was regarded by some as a definite basis for retreating from the traditional policy of the conference never to go to any city which would not extend all of its hotel facilities including housing and the use of the public dining rooms to all delegates regardless of race.

Kansas City, Indianapolis and other cities known to be deeply prejudiced had met the terms of the conference committee. The St. Louis hotel association secured a signed agreement from all of the leading hotels to the effect that Negroes would be allowed to use all elevators, the lobbies and halls necessary to go to and from conference meetings and private dining rooms but none would be permitted to stay in the hotels as guests or use the public dining rooms. St. Louis people claimed that they were making unusual concessions, but the time-and-place committee did not regard them as sufficient. Grand Rapids has assured the committee that there would be absolutely no discrimination in any form.

Foster called together a group of white and colored social workers in Chicago and after discussing the matter pro and con, it was decided that Chicago would take the lead in opposing the acceptance of St. Louis or any other city where facilities were not made available. Communications were immediately sent to all Urban League secretaries appealing to them to support the Chicago position and a sharp statement was drawn up to be presented to the time-and-place committee and the executive board.

Working closely with Foster were Attorney Charles Burton, F. T. Lane, Lillian Proctor, Foraker Turner, Mrs. Vivian Tivis, G. Leon Bailey, Howard D. Gould Leadon Ford, president, Social Service Round Table, and others.

Buffalo Impartial

Lester B. Granger of New York T. Arnold Hill of the National Urban League and Foster, prepared a special statement and together with Sidney Williams of the St. Louis Urban League, appeared before the time-and-place commitee with arguments against any change of policy. During the conference Negroes were housed in all of the leading hotels in Buffalo, including the Statler, conference headquarters, Buffalo, Lafayette, Ford, Niagara, Stuyvesant, Graystone, Westbrook, Fillmore and Lenox.

On Tuesday night the Niagara Frontier chapter of the New York State Conference on Negro Welfare gave a party at the Urban League Community center for visiting delegates. William Evans, executive secretary, Buffalo Urban League, is president of the state-wide organization, and Chester S. Jackson is chairman of the local chapter.

Seen at the party were Atty. Edith Clayton, Miss Juliette Matson, Mrs. Madeline Evans, Miss Juliette Boykins, Charles Burton, Foraker Turner A. L. Foster, and many others from Chicago; Jesse O. Thomas of Atlanta, Samuel B. Allen, James H. Hubert, Mrs. Mary Sullivan Speight Lester Granger, T. Arnold Hill and others from New York city, and others from various parts of the country. It is estimated that at least 200 Negroes were registered probably the largest number ever to attend a national confernce of this kind.

A dinner meeting, sponsored by the New York Conference of Negro Welfare at the W.M.C.A., was addressed by Dr. George Haynes, T. Arnold Hill, Jesse O. Thomas and William Evans. The subject was "Minority Groups in Social Work." Following the dinner the Alpha Phi Alpha men were entertained at the home of Dr. R. W. Holland.

Gives Word He'll Make Them Laws

Executive Promises to Sign When Measures Reach Him

ALBANY, April 20.—Governor Herbert H. Lehman gave assurance Tuesday of his support of bills designed to wipe out racial discrimination, when a delegation from New York City spent the day at the State capitol campaigning for the 14 measures sponsored by the State Temporary Commission.

The Manhattan Citizens' Committee of which Miss Vivienne France is chairman, organized the delegation of thirty-five persons who went from New York City.

For more than a half hour the Governor listened to speeches made by Miss France; Dr. Alma M. Haskins, representing the National Office of the N. A. A. C. P.; Nathan Rock, executive secretary of the American Society for Race Tolerance; and Solomon Harper, of the C. I. O. Federation of Architects, Engineers, Chemists and Technicians. The section that waited on the Governor was headed by Assemblymen Oscar Garcia-Rivera, William T. Andrews and Daniel Burrows.

Senator Oswald D. Heck, speaker of the Assembly and chairman of the rules committee, promised that some of the bills would be passed, but would not commit himself as to the number. He and Senator Joe R. Hanley, majority leader of the Upper House, revealed that a few of the measures are now being studied with a view to amending them.

Senator Irwin Steingut, Assembly Democratic leader, stated that if the bills are forced onto the floor, every Democratic vote would be in favor of them.

Feinberg Discourteous

When the delegation waited on Senator Benjamin F. Feinberg, Republican head of the Senate Judiciary Committee, his discourteous reception caused one in the group to remind him that he was elected by the people and paid to talk to them. This came after Senator Feinberg had remarked that he "didn't want to talk." His belief that the "bills are ridiculous" and that "an employer has the right to hire whomever he wants" was evidenced in all he finally had to say.

In contrast to Senator Feinberg's stand, Assemblyman Fred Washburn, G. O. P. chairman of the Committee on Labor and Industries, promised to do his best for the bills. However, he had to be reminded that his hiring of a few Negroes in his home was not the general intent of the measures.

Jane Todd Arrogant

Jane H. Todd, Republican Assemblywoman from Westchester, admitted that she doesn't feel that she has to support the bills, although her principal constituents are Negroes. She believes that her getting floor jobs for two Negroes at the Capitol, as well as fighting in the interest of a Negro girl who headed a Civil Service list (but was not appointed until she interceded for her) are sufficient. In arrogant fashion she said she's a member of the D. A. R. and feels that the D. A. R. had been misused in the Marian Anderson controversy.

Sent Telegrams

Before the delegation left New York early Tuesday morning, telegrams were sent to Governor Lehman and Legislators Hanley, Steingut, Heck, Feinberg, Condon, Desmond, Mahoney, Stagg and Moffat to pave the way for the reception by them and other prominent figures in the Capitol. [illegible] the League of Women Voters held a session in the Capitol Building Tuesday afternoon, Richard Moore, a member of the [illegible] of the Communist Party.

Orangizations represented in the delegation were the N. A. A. C. P., National Negro Congress, Harlem Y. M. and Y. W. C. A.'s, United Aid for People of African Descent, American Society for Race Tolerance, International Workers Order; State, County and Municipal Workers Union; Brotherhood of Sleeping Car Porters, American League for Peace and Democracy, Harlem branch of the Workers Alliance, C. I. O. Federation of Architects, Engineers, Chemists and Technicians.

Lawyers Gird To Safeguard Negro Rights

Harlem Barristers in Move to Prevent Fair Jim Crow

Formation of a lawyers' committee in this city to volunteer their services in fighting violations of civil rights laws during the New York World's fair was announced by Thurgood Marshall, assistant special counsel of the N.A.A.C.P.

Among the early volunteers for this committee are Hubert T. Delany and William Pickens Jr.

Mr. Marshall plans for the committee to inform prospective visitors throughout the country of their civil rights under the New York State laws and have the committee act on any cases which arise during the Fair.

"We expect to have thousands of colored visitors in New York City this summer," the N.A.A.C.P. attorney said, "and we intend to do the utmost in our power to see that they enjoy themselves without humiliation and inconvenience."

DISCRIMINATION_ 1939

Protest Discrimination Against Negro Co-Workers

Daily Worker New York, N. Y.

Editor, Daily Worker:

This letter is being addressed to you in order to publicize to the maximum the outrageous policy of discrimination against Negroes which is practiced by the New York Telephone Company. 9-30-39

A group of civil service employes, including two Negro co-workers, entered the cafeteria of the Telephone Company on West 17th St. on Monday, Sept. 25. All of the white girls were served but the Negro girls were told, "You can't eat here—this place is only for Telephone Company employes."

It should be noted that the company does have a sign (very small)—which says that the cafeteria is for the company employes and their guests, but most of the white girls from neighboring offices have been eating there for months and not a word had been said.

It is to the credit of the employes of the city that they walked out in a body, returning their food.

We would like to voice our objections to these discriminatory practices, especially since it comes from a large public servant, which should represent the decent interests of our city.

MAYOR LaGUARDIA SCORES NEW YORKER BAN ON DR. CARVER

NEW YORK, Oct. 5.—Mayor Fiorello H. LaGuardia added his voice Friday to the rising storm of protest over the recent action of the Hotel New Yorker here in barring Dr. George Washington Carver, one of America's most distinguished scientists, from a reserved room there for more than six hours.

Informed the the Jim-Crow incident Friday by Courier representatives at Summer City Hall, Mayor LaGuardia declared:

"The Constitution of the United States and the laws of the State of New York expressly state that no person shall be discriminated against because of his race. And as long as I'm Mayor of this city, I am going to see that that law is enforced." 10-7-39

SORRY HE WAS NOT INFORMED SOONER

Expressing regret that he had not been informed of the incident while Dr. Carver was being forced to wait six hours outside the men's washroom in the downtown hotel on September 20, the Mayor cited Section 40 of the New York Civil Rights Law, which reads:

"All persons within the jurisdiction of this state shall be entitled to the full and equal accommodations, advantages, facilities, and privileges of any places of public accommodations, resort or amusement, subject only to the conditions, and limitations established by law and applicable alike to all persons."

NEW YORK

GOTHAM'S MAYOR DISCUSSES DISCRIMINATION WITH WHITE



In an exclusive interview with The Courier's New York correspondents, Mayor Fiorello LaGuardia took a hearty slam at the Hotel New Yorker for its attempted bar against Dr. Carver of Tuskegee. Called to the office on another vital racial question, Walter White, executive secretary of the N.A.A.C.P. further discussed the question with Courier reporters. The Mayor and Mr. White are shown in the above photos.—Exclusive to The Courier by Billy Rowe.

Mr. LaGuardia then repeated: "That's the law in this city and it will be enforced.

"Naturally, we certainly regret this incident. Especially since it involved Dr. Carver. Dr. Carver is not only a distinguished citizen, he is one the most distinguished scientists of this country."

Although the New Yorker finally admitted the scientist to his reserved room, following heated protests by The Pittsburgh Courier and four other newspapers, thereby escaping prosecution under the law, Mayor LaGuardia discussed the case in detail Friday with Walter White, secretary of the National Association for the Advancement of Colored People.

WHITE TALKED TO MAYOR AT COURIER'S REQUEST

Mr. White, who had been summoned to Summer City Hall on another matter, brought the Carver incident to Mayor LaGuardia's attention again at the request of Courier representatives who had previously discussed the question with the Mayor.

Dr. Carver was barred from the New Yorker for six hours on September 20 when he arrived here with his assistant, A. W. Curtis, Jr., to appear on a national radio program.

Although the hotel had confirmed his reservations for rooms as early as September 14, the management refused to honor the reservations until heated protests of newspapermen and representatives of Doubleday and Doran, publishers, forced a reversal of the jim-crow policy.

During the six-hour fight over the discriminatory policy, the elderly scientist, who had not slept for 22 hours, sat in a chair outside the men's washroom in the third floor foyer.

Text of Letter to Judge Landis Asking End of Jim Crow

Baseball Commissioner Kenesaw M. Landis.

Dear Judge Landis:

I am hereby transmitting to you, in behalf of the New York State Young Communist League a petition signed by 50,000 New York fans who have indicated their desire to see Jim-Crowism banned from Big League baseball. In your absence I have already presented the 50,000 signatures to President Ford Frick of the National League, to whom the petition is addressed, as well as to yourself and to President Harridge of the American League.

In polls conducted by the Daily Worker and by the Pittsburgh Courier, outstanding major-league players and managers hailed the great abilities of many Negro players, saying without a doubt there were a number of major-league calibre. With true sportsmanship representative of the game they play, they welcomed the idea of breaking down the bars of discrimination against Negro players. American sportsmanship is founded on the idea of fair play. But it is certainly not fair play to bar from the Big Leagues the best athletes of the Negro people and thus strengthen the forces of white chauvinism, also in nation and segregation which stand as bars to the realization of that full democracy to which the American pepole aspire.

The employment of Negro players by the Big Leagues will not solve all the problems of the Negro people in their struggle for equality. But, in removing the evil of discrimination from America's most popular sport, it will be an important step forward. And to baseball, through greater democracy, it will give new life and vitality.

This is the desire of the 50,000 fans, and I'm sure it's the desire also of million. of others who support the sport you head. This desire, we Communists, as the party of socialism, heartily endorse in keeping with cur program of full economic, social and political equality for the Negro people. I therefore urge that at these sessions your organization take steps to employ Negro ball players and end the discrimination that now prevails.

Sincerely yours,

Robert Gunkel, Secretary
Hamilton County Communist Party.

White Models Forbidden To Pose For Negro WPA Artists

F-8-24-1939

Move Taken Upon Instigation of Southern Congressmen to "Escape More Unfavorable Publicity"

NEW YORK, Aug. 24.—Bowing to the prejudices of Southern Congressmen and the reactionary Woodrum committee, the administration of the Federal Art Project here has forbidden white project models to pose for Negro WPA artists, the Pittsburgh Courier learned exclusively this week.

ALL WHITE MODELS ARE WITHDRAWN

As a result of the new ruling, all white models have been withdrawn from project work at the Harlem Community Art Center, 290 Lenox avenue, and only the few remaining Negro models are permitted to pose at the nightly art classes there.

This action was taken following the recent Woodrum investigation of the Art Project, during which investigators for the committee visited the Harlem center.

Following testimony before the committee in Washington by these probers, the New York administration decided to bow to the prejudices of the Southerners in order to "escape more unfavorable publicity."

The United American Artists union of both Negro and white project artists, has filed a protest against the action with Mrs. Audrey McMahon, local project administrator, but no change has been made in the biased practice up to this week.

WHITE, COLORED MODEL IS ALTERNATED BEFORE

Prior to the Jim-crow ruling, Negro and white models alternated in working at the Harlem center and at all other centers throughout the city. When the Harlem project was operating full strength, three or four different models posed nightly.

Since the ruling, however, and the recent staff reductions because of the 18-months dismissal order, only one model—a Negro—is used nightly.

The eighteen-months ruling has so decimated the staff of the Harlem center, too, that the very existence of the uptown project is threatened. Many teachers at the Center have been discharged because of the ruling and at least five more are scheduled to lose their jobs before September 1. Only two replacements—one white photographer and one Negro field worker—have been made to the staff. At present, only five Negro and four white teachers remain on the center staff.

NAACP TO ACT IN CARVER JIM CROW IN N. Y.

NEW YORK, Sept. 28—The National Association for the Advancement of Colored People announced Thursday that a thorough investigation of the Hotel New Yorker's discrimination against Dr. George W. Carver, noted scientist of Tuskegee, Ala., will be launched.

Dr. Carver was forced to sit on the third floor smoking room of the hotel from 11:30 a. m. until 5:25 p. m. Wednesday before the hotel would accept him as a guest. Bars against him were only lowered after the vice president of a large firm in New York threatened the hotel with a law suit.

On Radio Program

Dr. Carver came to New York to appear on John Hix's "Strange as It Seems" radio program. He had just left a hospital following a 14 months' confinement. Reservations were made through his representative, A. W. Curtis, Jr., two weeks prior to the New York visit and a letter of confirmation was received.

However, when on Wednesday Curtis approached the desk and asked for reservations he was told that all rooms in the hotel had been taken. His offer to pay any price for the room, as the noted scientist was exhausted by the 22-hour journey from Tuskegee, was turned down, the desk clerk insisting that all rooms were taken.

Told to Wait

When Curtis showed the letter confirming the request for accommodations which stated that the room would be held for Dr. Carver until 6 p. m., Sept. 20, he was turned away with "Maybe later, if you care to wait."

The vice president of a photographers' firm, apprised of the situation, sent one of the photographers to the hotel. His request for accommodations was met with "Sure, glad to serve you." The photographer declined, demanding to know why Dr. Carver was being denied a room and received the same excuse: "There is no room."

Threatens Suit

At 4:30 the photographer contacted the vice president of his firm and explained the situation. He in turn phoned the management and threatened to have his attorney enter suit if the scientist wasn't given accommodations. At 5:25 Dr. Carver and his assistant were admitted. Dr. Carver's only comment on the situation was "I'm all used up."

On Tuesday night he was guest on the "We the People Speak" program emanating from Chicago. Joe Louis, world's heavyweight champion, was also guest on this program.

MISS MURRAY'S '10' QUESTIONS!

How Would White Students At North Carolina University Answer Them

NEW YORK, Jan. 26—The following are the 10 questions submitted by Miss Pauli Murray to President Frank P. Graham of North Carolina University.

Miss Murray suggested that these questions be discussed before it is definitely decided to bar Negro graduate and professional students from matriculating at the white university.

1. What is "social equality?" Is "social equality" the same as "racial equality?" Is an inter-racial conference an expression of social equality?
2. Does the concept of democracy include equal rights for minority groups?
2. To what extent would the admission of a Negro student to the University of North Carolina affect the prestige of the school?
4. What advantage might be gained, if any, through admitting a Negro student to classes? What disadvantages?
5. If the purposes of higher education are to gain insight into social problems, what valid objections would white students have in admitting a Negro student to their classes?
8. If the students of the University of North Carolina are convinced that it is unjust, unwise, and dictatorial to admit a Negro student into their classes, by what means can they test this theory in real life if they have not had the experience of a Negro student on the campus?
9. What have been the experiences of Southern white students in Northern universities where they found Negro students? Have these students left school? Has the presence of Negroes in their classes hampered their ability to learn?
10. What has been the experience of the athletic teams of the University of North Carolina in playing those schools having a Negro on the team? Has it been distasteful? Has it been successful? If successful, can the spirit of fair play evidenced on the football field be transferred to the classroom and with what degree of success?

Would it be possible to get any student opinion on these questions?

Suggests N.C. Query Students

University Applicant Proposes That They Answer Her Questions

NEW YORK, (ANP)—Miss [illegible] admission as a student at the University of North Carolina, has submitted to President Frank P. Graham a series of questions she wants Chapel Hill students to answer before making any decision to maintain the color bar.

Miss Murray said she doubted that professional and graduate courses in colored colleges would measure up to such courses in the State university because other colored schools in North Carolina have never been given facilities that would place them on a par with white schools.

Cites Rejection

Several years ago, Thomas Hocutt tried to register in the university pharmacy school, but was rejected. Miss Murray said she understood his educational qualifications were cited by the university as below par. He received his undergraduate work at a colored college in North Carolina.

Miss Murray asked that the students discuss the differences between "social equality" and "racial equality," the question of democracy and equal rights for minority groups, and the probable advantages of being able to study raec relations at first hand.

Greenville, N. C.—Reflector
January 6, 1939

New York Negro Woman Seeks Entrance At UNC

President Graham Says Question Up To Legislature

Chapel Hill, Jan. 6—(AP)—President Frank Graham of the University of North Carolina believes the question of Negro applications for admission to the state institutions of higher learning is something for the legislature to decide.

He declined today to comment on the application of a Negro woman of New York City for entrance in the graduate school of the University. Some observers saw in the application the forerunner of a number of applications by Negroes to enter Southern institutions on the strength of the recent United States Supreme Court decision in the case of the Missouri Negro. That opinion held that the Negro had the right to enter the University of Missouri's law school, where equal facilities were not provided in the state for the education of Negroes in that field.

Dr. Graham pointed out that Governor Hoey had a commission working on the whole matter of the question of Negro education and that this commission would recommend a state policy. That, he said, probably would result in action at the current session of the General Assembly.

Governor Hoey at Raleigh declined to talk on the subject of the application of the New York Negro woman pending further information.

Winston-Salem, N. C. Journal
February 10, 1939

Yadkin County's Negro Education Bill Is Approved

(From The Journal's Capital News Bureau)

Raleigh, Feb. 9.—House education committee, of which Representative Ira T. Johnston, of Ashe is chairman, Wednesday reported favorably the bill introduced by Representative Frank Woodhouse of Yadkin, to provide for high school education for Yadkin Negroes.

The bill would empower the Yadkin board of education to pay board and lodging for Negroes at high schools in other counties until Yadkin provides such educational facilities.

Speaking in favor of the bill elsewhere, Representative John S. Moore, of Pitt, endorsed it warmly, saying that he endorsed moves to better the condition of Negro citizens.

51 'Ayes', 387 'No's' Vote At North Carolina Univ.

CHAPEL HILL, N. C., Feb. 16—(Special)—At the midwinter dances held here during the past week-end, a poll was taken on various questions of interest to students, including that of whether or not Negroes should be admitted to the university.

The announced result of the voting on the question was 51 "ayes" and 387 "no's." By the male students, the vote was 36 in favor of the proposal and 237 against it; and by the female students, it was 15 for and 150 against.

Automatic voting machines installed and operated by the Carolina Political Union, were employed in taking the poll, separate machines being used by male and female students.

Assaulted By Telegraph Operator She Gets $250

STATESVILLE, N. C.—Damage in the sum of $250 on Friday, Nov. 24 were awarded by a jury to Mrs. Mercy Keaton in Iredell Superior Court for personal injuries in her suit against the Western Union Telegraph Company and R. E. Patton, night telegraph operator.

The case grew out alleged failure of the defendant company to deliver a telegram at the Southern Railway station here. Testimony was to the effect that Patton, who was on night duty at the time, reported to Mrs. Keaton that they had been unable to deliver the message on account of an imperfect address.

A quarrel developed, according to the testimony, and developed to the extent that Patton struck Mrs. Keaton in the face inflicting injuries to her eyes and face.

Mrs. Keaton at first brought suit against the Southern Railway, the Western Union Company and Patton, asking for actual damages in the sum of $20,000, and punitive damages amounting to $10,000. A non-suit was taken in the case against the Raildroad company but the jury found that the plaintiff was entitled to recover $250 actual damages, but no punitive damages.

Mrs. Keaton was represented by Attorney F. W. Williams, while the defendants were represented by Tillett, Campbell and Boyle.

Greensboro, N. C., News
January 9, 1939

Only State Can Give Answer To Question, Graham States

University President Comments On Problem of Graduate and Professional Education Facilities For Negroes.

CHAPEL HILL, Jan. 8.—The state can give the only "authoritative" answer "as a basic matter of law and public policy" to the question o graduate and professional education facilities for negroes in North Carolina, President Frank P. Graham, of the University of North Carolina said in a statement here today.

Graham said that long before the decision of the United States Supreme court requiring Missouri to provide such facilities for negro students, he had held the position that equal provision in graduate and professional work should be made by the state at the North Carolina College for Negroes in Durham and in the field of agriculture and technology at the State A. and T. College for Negroes in Greensboro.

Graham said he still held this position as "a wise answer to the question gradually to be worked out."

Urges Co-operation.

The college president also said that he had several times expressed the view that it would be a fine thing for the University of North Carolina and Duke university to cooperate with the North Carolina College for Negroes in making appropriate provision for professiona and graduate work at the negro college.

Conferences looking to this end he said, were held before the decision in the Missouri case.

A commission appointed by Governor Hoey to study the question Graham observed, "is taking a wise long-range view of the whole matter as a basis for action by the legislature in the determination of the public policy of the state for its institutions."

Graham, in commenting on the resolutions passed at the recent conference on human welfare at Birmingham, Ala., said no resolution was passed pertaining to social equality of the races or segregation in schools but merely asked for "equal justice and opportunity for negroes."

Praises Negroes' Attitude.

The university's president said "the negroes of North Carolina, with their sensibilities and justly deep racial self-respect, are not trying to break through any purely social and personal barriers. The negroes are not basically demanding social equality but social justice and equality of opportunity. They do not desire interracial marriage but interracial understanding, respect, goodwill and co-operation in building a fairer and more productive south in a more prosperous and nobler America."

President Graham said that interracial relations in North Carolina were "comparatively on a progressively improving basis, as witnessed by the almost entire elimination of lynching and a fairer distribution of the public school fund."

Greenville, N. C.—Reflector
January 10, 1939

WOULD EXTEND EDUCATION FOR N. C. NEGROES

Proposes Additional Courses at Two Colored Colleges

BILL PROPOSED BY REP. MURPHY

Action Follows Ruling Supreme Court Missouri Must Provide for Negro Students

Raleigh, Jan. 10.—(AP)—A measure to establish graduate and professional courses for Negroes at the North Carolina College for Negroes at Durham and at the Agricultural and Technical College at Greensboro hit legislative hoppers today.

The matter of graduate, professional and specialized courses for Negroes took on added significance last week when a Negro woman applied for entrance to the University of North Carolina, apparently basing her petition on the recent Missouri case in which the U. S. Supreme court held that the state must provide such courses for Negroes.

Last week Governor Hoey recommended in his biennial message that the legislature make provision for graduate work at the two state-supported colleges for Negroes, and the application of the Negress was filed at Chapel Hill the same day.

Representative Murphy of Rowan offered the bill.

It authorizes the board of trustees of North Carolina College for Negroes to establish graduate courses in the liberal arts field, and professional courses, to meet demands and as funds permit. Specialized and technical courses could be established by the board of the A. and T. College. Demand for the courses would have to be made by 10 or more persons, and if less than 10 apply for such courses the boards of trustees of the institutions may pay up to $200 annually as tuition for the applicants who certify they have entered recognized schools elsewhere to get the courses.

The senate session lasted a bare 10 minutes and the house met only two minutes longer.

This afternoon the joint finance and appropriations committee studied the budget recommendations for the 1939-41 biannium, a record expenditure of $154,000,000 being proposed.

Tomorrow Secretary of Labor Frances Perkins will speak to the Legislature. She will be met by a special legislative committee, one of the members of which is Senator Rodman of Beaufort.

Leaksville, N. C. News
January 12, 1939

GRANT FOR NEW NEGRO HIGH SCHOOL

PWA Grant of $35,000 Is Approved—To Let Contract About Feb. 1st.

Plans are progressing favorably for the construction of a new colored high school here to replace the Douglass high school which was destroyed by fire a few months ago.

J. E. Holmes, superintendent of the Leaksville township schools, stated yesterday that a grant of $35,000 from the PWA had just been approved to help toward the total cost of the new building which is estimated at about $80,000.

With the grant secured from the PWA, school authorities are now completing final plans preparatory to letting contract for the building the latter part of this month or the first of February. It is hoped that the building can be completed by the opening of the fall term next September.

Architect's plans have been finished and call for a much larger building than the one which was destroyed. An addition to the old school had been planned prior to the fire to take care of the crowded condition which existed at that time.

Until the new building can be provided, colored pupils are being accommodated in temporary quarters at various places throughout the township.

Gastonia, N. C. Gazette
January 6, 1939

Negro Co-Ed Seeks To Enter U. N. C.

CHAPEL HILL, Jan. 6—(AP)—Dean W. W. Pierson, jr., said today a Negro woman of New York city had applied for entrance to the University of North Carolina graduate school. Pierson did not disclose her name, but said she wished to enter soon.

Application for entrance by a Negro to the University of North Carolina is not unprecedented, but some officials of the university expressed the belief that the current application was the first of a number of test cases that might be expected in Southern institutions as a result of recent ruling of the United States Supreme Court. That decision held that a Missouri Negro had the right to attend the University of Missouri law school if equal facilities were not provided for Negro law students in that state.

The North Carolina state constitution decrees separate institutions for the Negroes.

Pierson said that the application would be referred to President Frank P. Graham upon his return to the university within the next day or so.

Pierson explained that the practice had been to write the Negro applicant respecting the state law. That, he said, usually had been sufficient. In a few instances, however, he said, applicants were sent to Negro institutions in other states at the expense of the State of North Carolina which provides money for that purpose.

RALEIGH, Jan. 6.—(AP)—Governor Hoey declined comment today, pending further information, on a report that a Negro woman of New York had applied for entrance to the University of North Carolina graduate school.

In his biennial message to the legislature yesterday Hoey recommended that courses in subjects as law, medicine and pharmacy be provided at the two State colleges for Negroes.

"The white race cannot afford to do less than simple justice to the negro," the governor said.

Moorsville, N. C. Enterprise
January 26, 1939

Favor Admitting Negroes

During a recent poll taken among the law students at the University of North Carolina, under the supervision of the Law School Association, 18 out of 83 voted for the admission of negroes to the University.

A few days earlier the graduate students had voted by more than 2 to 1 in favor of admitting negroes.

Frank Graham, president of the University of North Carolina, was recently elected president of the Southern Conference on Human Relations after that organization has stirred Birmingham, Ala., by its resolutions favoring social equality with negroes, and it is not surprising that two-thirds of his graduate students and approximately one-fourth of his law students favor admitting negroes to the University.

President Frank Graham has protected a group of professors who are socialists and communists while they have used their class rooms to instill their doctrines, which include social equality with negroes, into the minds of students.

When it reaches the point that students at the University of North Carolina express the desire to have negroes attend classes with them, it is time for the people of North Carolina to take action.

We had not favored the proposed increase in tuition but believe that it is now imperative that tuition for students from other states be raised high enough to prevent the attendance of the horde of New York "Eastsiders" who have become an affliction and a stench.—Southern Textile Bulletin.

Durham, N. C., Morning Herald
January 11, 1939

Only One Negro Pressing To Register At Carolina

Report Of Dozen Seeking Entrance Declared Untrue

GRAHAM HAS STATEMENT

Poll Conducted Among Graduate Students By Student Paper Discredited

Chapel Hill, Jan. 10.—(Special)—Only one Negro is pressing a claim for admission to any school or division of the University of North Carolina here, President Frank P. Graham said today after conducting a survey of every department.

The official check-up was made after the Daily Tar Heel, student newspaper, printed a story saying "a rumor persisted that approximately a dozen Negro citizens of North Carolina have applied for admittance to the university since the New York woman's attempt at entrance."

Dean W. W. Pierson, Jr., said the graduate school "during the past several years had received applications for admission from three Negroes" but added that "only the recent one from the New York Negress could be considered an active application at present.

"One of the applications," he explained, "was from a person definitely ineligible on academic grounds, and the third was from a woman who has not pressed her claim. We have received inquiries from two other Negroes regarding the policy of the state, but they did not apply for admission."

President Graham said that, so far as could be determined from the records, these were the only applications the university had ever received from Negroes.

Dean W. deB. MacNider of the medical school, Dean M. T. Van Hecke of the law school, and Director Susan Akers of the school of library science said their offices had no records of applications from Negroes, "either before or since the ruling by the supreme court in the Missouri case."

Dean J. Grover Beard of the pharmacy school said the only application received by his division was the one that went to the superior court six years ago when the applicant was ruled ineligible.

Dr. Thos. J. Wilson, Jr., dean of admissions and registrar, whose office eventually acts on all applications, said the only application received since the Missouri ruling was from the New York Negress.

President Graham and Dean Pierson have both advocated professional courses at the North Carolina College in Durham and courses in technology and agriculture at the A. and T. college in Greensboro as the best solution for the problem.

The results of a poll of graduate students, conducted today by the Daily Tar Heel in an effort to determine sentiment for and against the admission of Negroes to the graduate school here, were not taken seriously by the campus, in view of the fact the ballot box was not supervised and no signatures were required.

The Tar Heel reported that 82 votes favored admission to the graduate school and that 32 opposed it. Assuming all these votes were authentic—which is regarded as highly doubtful—they would represent only one-fourth of the present enrollment of 405 in the graduate school.

The Tar Heel had reported previously that a survey by its reporters showed campus opinion to be overwhelmingly opposed to admission of Negroes.

Warrenton, N. C. Record
January 20, 1939

DISPLAYING POOR TASTE

Negroes who attempt to enter the University of North Carolina or any of the other white schools of the south are displaying poor taste and doing their entire race and injustice.

The colored race has made remarkable progress during the past century and it will no doubt continue to go forward so long as they take pride in themselves and apply their talents to the advancement of their own people.

But when they turn their thoughts to social equality and attempt to force themselves where they are not wanted on the grounds of constitutional rights they are infringing upon the sensibilities of the white race and arousing the hatred of the very people who have proven their greatest friends in the past.

So long as the negro race remembers that this country was fought for and settled by the white race which shall continue to govern it, then the two races can work and live together in peace and prosperity in a land of unlimited opportunity for achievement in riches, education and contentment, but when the hatred of the white race becomes aroused by insolence and attempts at social equality a spirit is born kindred to that which is at present causing the Nazis to persecute the Jews and run them out of Germany.

It is not the ignorant negro nor the educated negro who is a thorn in the thigh of the white man, it is the partly educated negro who has just enough learning to become disrespectful and think that no man, white or black, is his superior.

The straightest road for the negro, and this also applies to the white man, is politeness, self-respect and pride in his own race. We know of nothing which is cheaper and carries the average man higher in the esteem of his fellowman more readily than common politeness.

Athens, Ga., Red & Black
January 13, 1939

Admission of Negro To Schools Argued By Demosthenians

Junior - Senior Impromptu Debate With Phi Kappa Scheduled Next Week

Demosthenians indulged in heated discussion Wednesday night in an open forum on the question, Resolved: That professional schools of the University should be thrown open to Negroes. No vote was taken on the proposition.

Andrew Cain, Dahlonega, chief justice of the judicial council, announced that Milton Brown, Thomson; Billy Collins, Athens, and Dearing Johnson, Valdosta, will represent Demosthenian in the annual junior-senior impromptu debate next Wednesday night.

Try-outs Wednesday

He also announced that tests for prospective members will be given next Wednesday night at 7 o'clock in Demosthenian Hall.

To open the forum, George Oliver, Savannah, stated the case, citing the case of the state of Missouri ex. rel. Gaines vs. Canada, in which the Supreme Court ruled that it was unconstitutional for a Negro to be denied the privilege of getting the same education as a white within the confines of a state

Taylor Leads Debate

Carlisle Taylor, Atlanta, led the discussion contending that an antagonistic attitude would arouse the Negroes and incite them to try to gain admission to the University, through the American Association for the Advancement of Colored People.

Elmon Vickers, Norman Park, and B. C. Gardner, Camilla, contended that Negroes have the same rights to an education as whites. Charles Kirbo, Bainbridge; George Haslam, Milledgeville, and Hammond Johnson, Gainesville, spoke against the proposal.

Durham, N. C., Morning Herald
January 23, 1939

NEGRO GRADUATE EDUCATION

Sooner or later it was bound to happen. And sooner or later something must be done about it. We are speaking of Dr. Shepherd's request for money to establish a graduate school at the North Carolina College for Negroes.

The establishment of such a graduate school, possessed of facilities and teachers capable of giving good graduate instruction to Negro aspirants for higher education, is the only thing, it seems to us, that will insure the segregation of races in the educational system of the state. We have equal facilities in elementary schools, high schools, and undergraduate colleges, and the segregation of races has come as a matter of course. But we have not provided equal facilities for more advanced education in graduate schools, and the recent decision of the Supreme Court affecting Negro education in Missouri makes it mandatory, if we are going to keep the races apart.

Still one finds it hard to understand the motive of the Negro woman who, by her application to the University of North Carolina graduate school a few weeks ago, brought this question of equal facilities into the open. Why should she want to enter a school where she would be the only member of her race? One cannot believe that she would get the well-rounded education there that she would get in a school where she would have the opportunity to associate with her fellow students. For real education, we believe, is not to be found merely in books. It comes partly from books and partly from the gathering together of students of common interest. The friendships that are formed in college, with their consequent opportunities for the discussion of common problems, for the exchange of opinions, are of equal importance with the actual study of textbooks.

The Negro woman would never be "accepted" into this community of interest, and therefore she would lose a great part of her education. For that reason, we find it hard to understand her desire to enter Carolina.

DISCRIMINATION- 1939

Gastonia, N. C. Gazette Jan. 6 1939

Graham Thinks Negro Issue Is Job For Solons

U. N. C. President Declines To Comment On Application Of Negro Co-Ed Graduate Student.

CHAPEL HILL, Jan. 6.—(AP)—President Frank P. Graham of the University of North Carolina believes the question of Negro application for admission to the State institutions of higher learning is something for the legislature to decide.

He declined today to comment on the application of a Negro woman of New York City for entrance in the graduate school of the University. Some observers saw in the application the forerunner of a number of applications by Negroes to enter Southern institutions on the strength of the recent United States Supreme Court decision in the case of the Missouri Negro. That opinion held that the Negro had the right to enter the University of Missouri law school where equal facilities were not provided in the State for the education of Negroes in that field.

Dr. Graham pointed out that Governor Hoey had a commission working on the whole matter of the question of Negro education and that this commission would recommend a State policy. That, he said, probably would result in action at the current session of the general assembly.

Governor Hoey at Raleigh declined to talk on the subject of the application of the New York Negro woman, pending further information.

In his biennial message to the legislature yesterday, Hoey recommended that courses in such subjects as law, medicine and pharmacy be provided at the two State colleges for Negroes.

Some observers of legal bent expressed the opinion that the Missouri decision would not affect the application of the New York Negress since a State institution, they said, did not have to provide for a non-citizen of the State.

The North Carolina constitution calls for separate institutions for Negroes.

Clayton, N. C. News
January 12, 1939

Bill Would Provide Graduate Courses For Negro Schools

A measure to establish graduate and professional courses for Negroes at North Carolina College for Negroes at Durham and at the Agricultural and Technical College at Greensboro hit legislative hoppers Tuesday.

The matter of graduate, professional and specialized courses for Negroes took on added significance last week when a Negro women applied for entrance to the University of North Carolina, apparently based her petition on the recent Missouri case in which the Uuited States Supreme Court held that the state must provide such courses for Negroes.

Last week Governor Hoey recommended in his biennial message that the Legislature make provision for graduate work at the two state supported colleges for Negroes, and the application of the Negro was filed at Chapel Hill the same day.

Representative Murphy of Rowan offered the bill.

NORTH CAROLINA

Gastonia N. C. Gazette
January 20, 1939

FAVOR ADMITTING NEGROES

(Southern Textile Bulletin.)

During a recent poll taken among the law students at the University of North Carolina, under the supervision of the Law School Association, 18 out of 83 voted for the admission of Negroes to the University.

A few days earlier the graduate students had voted by more than 2 to 1 in favor of admitting Negroes.

Frank Graham, president of the University of North Carolina, was recently elected president of the Southern Conference on Human Relations after that organization has stirred Birmingham, Ala., by its resolutions favoring social equality with Negroes, and it is not surprising that two-thirds of his graduate students and approximately one-fourth of his law students favor admitting Negroes to the University.

President Frank Graham has protected a group of professors who are socialists and communists while they have used their class rooms to instill their doctrines, which include social equality with Negroes, into the minds of students.

When it reaches the point that students at the University of North Carolina express the desire to have Negroes attend classes with them, it is time for the people of North Carolina to take action.

We had not favored the proposed increase in tuition but believe that it is now imperative that tuition for students from other states be raised high enough to prevent the attendance of the horde of New York "Eastsiders" who have become an affliction and a stench.

The Open Forum

Discrimination vs. Segregation

Perquimans County Civic Forum Seen As Filling Definite Need

Editor, Journal and Guide: The Negroes of Perquimans County, N. C., in line with other colored citizens in western North Carolina, adjacent cities and states have organized a Civic Forum for the purpose of improving the educational, recreational and political conditions existing in Perquimans County.

Time and again speakers at the organization meeting kept the listeners, both white and colored spell bound with true facts concerning problems confronting Negroes in Perquimans County and the state of North Carolina at large.

The speakers stressed the point that the "ballot" will be the salvation of the Negro. One speaker stated that we are not dissatisfied with "segregation" but "Discrimination." Truly, the Negro belongs to the minority group, and has a small amount of finance, does not not feel that discrimination is justice. I believe discrimination is the cause of unequal opportunites, educatonally, recreationally, and politcally.

Negroes as a race need to familiarize themselves with modern existing activities of progressive organizations so they will be able to keep in pace with modern times and intelligently compete with other races. Therefore, Negroes feel that they belong to the underprivileged group because of discrimination and not segregation.

I am hoping that the organization recently organized in Perquimans County will impress the colored people that they need to know as much about themselves as they do the whites, and that they will have to thoroughly understand their race before successfully being able to understand the opposite race; that they will have to learn to cooperate with their race, before attempting to influence the white race to do so; and that cooperation from the very outset is nothing more than "working so that others can work with you."

The speakers admitted that to have segregation is to have inferior schools. Segregation, continued one of the speakers, is the very root of this evil which is reflected in the high ratio of illiteracy, low standards of living, antiquated schools, and facilities, poor pay to teachers, and juvenile delinquency. Segregation, like polygamy and slavery, is a relic of barbarism.

New England, where slavery died aborning, is today the envy of the rest of the world, while the South where slavery became an established institution and persists to this day in the form of segregation and otherwise, is dubbed the nation's problem child.

Materially, intellectually, and culturally, Negroes have made marvelous progress against heartbreaking advantages. I believe the Negro race needs constant intelligent stimulus and encouragement in its march toward the heights to be attained and retained in accordance with a well-rounded, carefully weighed, strategic and tactical plan, and not forgetting that "God has promised to every man more life than death, and more love than hate."

—G. N. REID

Hertford, N. C.

Postmaster Is Charged With Discrimination

Superior Voting Strength Aimed At Yount's Party

CHARLOTTE, N. C. (ANP)—A fight to the finish to obtain colored letter carriers in this city is being waged by local citizens.

The fight began in July when John Richmond, a custodian at the local postoffice, who had passed the examination, was certified for appointment by the civil service commission in Washington on July 3, and told to appear before the local postmaster, Paul R. Younts, to either accept or decline the job.

Expecting Richmond to be given the "runaround" due to the fact that this town has no race letter carriers, a group of four colored citizens, Dr. Henry L. McCrorey, president of Smith university; the Rev. Frank C. Shirley, member of the executive committee of the Federation of Negro Churches in America; Zack Alexander, Jr., mortician and prominent young businessman, and Trezvant W. Anderson, newspaper correspondent, went to see Postmaster Younts to let him know that the Negro citizenry knew that young Richmond was certified and that Negroes of the city were desirous of his getting a square deal.

The postmaster told the group that he had no objection to appointing Richmond, but that he feared that such action would result in discord and friction among the 70 white letter carriers who comprise his force. Expressions of admiration for Richmond's qualities by Mr. Younts failed to dim the bad impression given by the evasion of the issues, which pointed to a solely racial idea of excluding him because he is colored.

PETITIONS SIGNED

Hundreds of local citizens signed their names to letters requesting that colored letter carriers be hired, and that they desired colored carriers. These names were presented to the postmaster. However, he has appointed 10 regular carriers and three temporary carriers, who were made permanent recently, and has skipped over the name of Richmond.

In resentment and spurred on to continue fighting to get the color bars let down, the citizens held a huge mass meeting. G. N. T. Gray of Washington, national welfare director of the National Alliance of Postal Employes, was a speaker, as was a representative of the NAACP and local citizens.

Plans were made to lay the foundation for a superior voting strength for the next elections, to vote against anything or anybody favored by Younts, unless he allows Richmond a chance. Efforts were being made by Younts to evade the real issue by having Richmond transferred to the railway mail service, but local citizens would have none of that.

The NAACP is expected to take up the case with the angle of preventing and protesting against, the election of Postmaster Younts to the position of president of the National Association of Postmasters when that body meets at Atlantic City next month. Mr. Younts is now vice president, and since offices are filled by succession, he is slated to become president at this meeting.

Remembering Judge John J. Parker who was kept from a supreme court spot by an anti-Negro act years ago, local folk believe that this kind of action by the NAACP in Mr. Yount's case should bring some results.

Asheville, N. C., Times
January 6, 1939

ADMITTING NEGROES TO UNIVERSITY UP TO SOLONS, GRAHAM SAYS

CHAPEL HILL, Jan. 6.—(AP)—President Frank P. Graham, of the University of North Carolina, believes the question of negro application for admission to the state institutions of higher learning is something for the legslature to decide.

He declined today to comment on the application of a negro woman, of New York city, for entrance in the graduate school of the university. Some observers saw in the application the forerunner of a number of applications by negroes to enter southern institutions on the strength of the recent United States supreme court decision in the case of a Missouri negro. That opinion held that the negro had a right to enter the University of Missouri law school where equal facilities were not provided in the state for the education of negroes in that field.

Dr. Graham pointed out that Governor Hoey had a commission workinng on the whole matter of the question of negro education and that this commission would recommend a state policy. That, he said, probably will result in action at the current session of the general assembly.

Governor Hoey at Raleigh declined to talk on the subject of the application of the New York woman pending further information.

Is his biennial message to the legislature yesterday, Hoey recommended that courses in such subjects as law, medicine and pharmacy be provided at the two state colleges for negroes.

Some observers of legal bent expressed the opinion that the Missouri decision would not affect the application of the New York negress since a state institution, they said, did not have to provide for a non-citizen of the state.

The North Carolina constitution calls for separate institutions for negroes.

Shelby, N. C. Star
January 6, 1939

NEGRO IS ISSUE FOR N. C. SOLONS

Graham Says Application Is Matter For Legislature

CHAPEL HILL, Jan. 6. — (AP) — President Frank P. Graham of the University of North Carolina believes the question of negro application for admission to the state institutions of higher learning is something for the legislature to decide.

He declined today to comment on the application of a negro woman of New York city for entrance in the graduate school of the university. Some observers saw in the application the forerunner of a number of applications by negroes to enter southern institutions on the strength of the recent United States Supreme court decision in the case of the Missouri negro. That opinion held that the negro had the right to enter the University of Missouri law school where equal facilities were not provided in the state for the education of negroes in that field.

State Policy

Dr. Graham pointed out that Governor Hoey had a commission working on the whole matter of the question of negro education and that this commission would recommend a state policy. That, he said, probably would result in action at the current session of the general assembly.

Governor Hoey at Raleigh declined to talk on the subject of the application of the New York negro woman, pending further information.

Recommends Courses

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Some observers of legal bent expressed the opinion that the Missouri decision would not affect the application of the New York negress since a state institution. They said, did not have to provide for a non-citizen of the state.

The North Carolina constitution calls for separate institutions for negroes.

Raleigh, N. C., News & Observer
January 7, 1939

GRAHAM IS SILENT ON RACE QUESTION

Believes Issue of Negroes' Admittance to University Is One for Assembly

Chapel Hill, Jan. 6.—(AP)—President Frank P. Graham of the University of North Carolina believes the question of Negro application for admission to State institutions of higher learning is something for the legislature to decide.

He declined today to comment on the application of a Negro woman of New York City for entrance in the graduate school of the University. Some observers saw in the application the forerunner of a number of applications by Negroes to enter Southern institutions, on the strength of the recent United States Supreme Court decision in the case of a Missouri Negro. That opinion held that the Negro had the right to enter the University of Missouri law school because facilities equal with those of white persons were not provided in the state for the education of Negroes in that field.

Dr. Graham pointed out that Governor Hoey has a commission working on the whole matter of the question of Negro education and that this commission will recommend a state policy. That, he said, probably will result in action at the current session of the General Assembly.

Governor Hoey at Raleigh declined to talk on the subject of the application of the New York Negro woman, pending further information.

In his biennial message to the legislature yesterday, Hoey recommended that courses in such subjects as law, medicine and pharmacy be provided at the two state colleges for Negroes.

Some observers of legal bent expressed belief that the Missouri decision will not affect the application of the New York Negro woman, since a state institution, they said, does not have to provide for a non-citizen of the State.

The North Carolina Constitution calls for separate institutions for Negroes.

Shelby, N. C. Star
January 14, 1939

NEGRO EDUCATION

Recently the supreme court of the United States precipitated a serious question in the south by holding that a state must provide equal educational opportunity for whites and negroes even into the field of higher learning.

Not many states of the south have institutions of higher learning for negroes equal to those provided for white persons. The ruling of the supreme court, at first glance, appeared to mean that such equality must be provided even to the extent of admitting negroes into white institutions if no other means of equal educational opportunity could be provided.

Immediately the question was precipitated in North Carolina and quickly the state, under the advice of Governor Hoey, is taking steps to meet the situation.

A negro woman already has applied for admission into the University of North Carolina. President Graham rightfully has declared that it is a question for the general assembly to decide. It is precisely that.

Realizing that it is essentially a legislative question Governor Hoey advocated immediate action. He got it. Already a bill has been introduced in the general assembly at Raleigh to establish graduate, professional and specialized courses for negroes in this state. From that bill it is probable some practical solution will be worked out.

Negro leadership in North Carolina, it is believed, does not want the intermingling of the races in the schools for they see great potential danger in such practice. Hence it is entirely probable that the solution provided in the new bill will meet universal approval among the informed negroes of the state. Certainly it will meet the approval of all those who sincerely seek the welfare of their race and for those who earnestly seek education. Among those allied with Walter White's organization for the advancement of the colored race, who seek merely to foment trouble by efforts to establish a factual equality in all lines between the races; it will not be received with open arms.

Negroes should have the opportunity of education within their powers. There should be no equality, nor should there be any semblance of intermingling between the races, in North Carolina.

The thinking elements of both races realize this to be true.

Hendersonville, N. C., Times-News
January 10, 1939

GRAHAM FOR EDUCATION OF N. C. NEGROES

Favors Higher Educational Facilities; Proposal Being Studied Officially

CHAPEL HILL, Jan. 10.—The state can give the only "authoritative" answer "as a basic matter of law and public policy," to the question of graduate and professional education facilities for negroes in North Carolina, President Frank P. Graham, of the University of North Carolina, said in a statement here Saturday.

Graham said that long before the decision of the United States supreme court requiring Missouri to provide such facilities for negro students, he had held the position that equal provision in graduate and professional work should be made by the state at the North Carolina College for Negroes in Durham and in the field of agriculture and technology at the State A. T. College for Negroes in Greensboro.

Graham said he still held this position as "a wise answer to the question gradually to be worked out."

URGES CO-OPERATION

The college president also said that he had several times expressed the view that it would be a fine thing for the University of North Carolina and Duke university to cooperate with the North Carolina College for Negroes in making appropriate provision for professional and graduate work at the negro college.

Conferences looking to this end, he said, were held before the decision in the Missouri case.

A commission appointed by Governor Hoey to study the question, Graham observed, "is taking a wise long-range view of the whole matter as a basis for action by the legislature in the determination of the public policy of the state for its institutions."

Graham, in commenting on the resolutions passed at the recent

conference on human welfare at Birmingham, Ala., said no resolution was passed pertaining to social equality of the races of segregation in schools but merely asked for "equal justice and opportunity for negroes."

PRAISES NEGROES' ATTITUDE

The university's president said "the negroes of North Carolina, with their sensibilities and justly deep racial self-respect, are not trying to break through any purely social and personal barriers. The negroes are not basically demanding social equality but social justice and equality of opportunity. They do not desire interracial marriage but interracial understanding, respect, good-will and co-operation in building a fairer and more productive south in a more prosperous and nobler America."

President Graham said that interracial relations in North Carolina were "comparatively on a progressive improving basis, as witnessed by the almost entire elimination of lynching and a fairer distribution of the public school fund."

Richmond, Va., Times-Dispatch
January 6, 1939

Negro Seeks to Enter U. of N. C. School

CHAPEL HILL, N. C., (AP)—Dean W. W. Pierson Jr. said yesterday that a Negro woman of New York City had applied to enter the University of North Carolina graduate school. Pierson did not disclose her name, but said she wished to enter soon.

Application for entrance by a Negro to the University of North Carolina is not unprecedented, but some officials of the university expressed the belief that the current application might be the first of a number of test cases that might be expected in Southern institutions as a result of the recent ruling of the United States Supreme Court, which held that a Missouri Negro had the right to attend the University of Missouri Law School if equal facilities were not provided for Negro law students in that State.

The North Caroiina State Constitution decrees separate institutions for Negroes.

Pierson said the application would be referred to President Frank P. Graham upon his return to the university within the next day or so.

Sanford, N. C., Herald
January 23, 1939

REVIEWING THE NEWS

NEGRO GRADUATE SCHOOLS ASKED

Members of the board of trustees of the North Carolina College for Negroes and its president, Dr. James E. Shepard, asked the legislature Friday to allot to the college an additional $34,945 during 1939-41 for the establishment of graduate schools.

The request came on the heels of a recent application of a New York City negro for entrance in the University of North Carolina following a Supreme court decision that states not providing graduate facilities for negroes must not refuse them admittance to state institutions giving the work.

Waynesville, N. C., Mountaineer
January 5, 1939

Negro Education In State Urged by Hoey

RALEIGH, N. C.—Prior to rendition of the United States Supreme Court's ruling in the Missouri case, a commission appointed by Gov. Clyde R. Hoey, of North Carolina, to study educational needs of the Negro in this state, submitted a report in which it recommended extension of educational facilities to supply needs of that race. No controversy is expected in No. h Carolina, which has been expandin_ educational opportunities for Negroes.

Addition of professional and graduate schools is expected at one or more of North Carolina's existing colleges for Negroes. Dr. Frank P. Graham, President of the University of North Carolina, declared that, in his opinion, North Carolina should provide Negroes with professional and graduate instruction. This can be done by the Legislature, which meets early in January, it was pointed out.

North Carolina has two outstanding Negro colleges, on each of which many hundreds of thousands of dollars have been expended—the North Carolina College for Negroes at Durham, and the Agricultural and Technical College at Greensboro.

One or both of these institutions could be expanded to meet required needs and conform to the Supreme Court's ruling, based in the Negro's Constitutional rights.

Shelby, N. C. Star
January 6, 1939

Governor Silent On Negro Question

RALEIGH, Jan. 6.—(AP)—Governor Hoey declined comment today, pending further information, on a report that a negro woman of New York had applied for entrance to the University of North Carolina graduate school.

In his biennial message to the legislature yesterday Hoey recommended that courses in subjects as law, medicine and pharmacy be provided at the two state colleges for negroes.

"The white race cannot afford to do less than simple justice to the negro," the governor said.

Monroe, N. C. Enquirer
January 12, 1939

Negro Wants In University

Legal Questions Involved; Consultation With The Attorney General

RESULT COURT DECISION

As a result of the recent decision of the United States Supreme Court, that under the "civil rights amendment" to the Constitution a state must provide equal educational opportunities for white and negroes, a negro woman in New York has sent to W. W. Pierson, dean of the University of North Carolina graduate school, a letter requesting that she be admitted as a student there.

No reply has been made yet. President Graham, Dean House, and Dean Pierson are to discuss the matter with the state authorities. There are legal questions invovled, and the state attorney general will be consulted. In view of the North Carolina statute requiring that the two races be educated separately, the present request could not be granted without being considered by the University trustees.

If as appears to be the case, the applicant is not a citizen of North North Carolina, the Supreme Court decision will not apply to her.

The decision did not say that whites and negroes must be educated together, only that they must be treated equally in the quality of the education provided. A state may, if it chooses, comply with the decision by establishing new negro institutions or improving those already in existence. After the publication of the decision President Graham said he thought that the proper solution of the problem was the provision of adequate facilities at negro institutions.

Durham, N. C., Morning Herald
January 13, 1939

U. N. C. LAW STUDENTS AGAINST ADMITTING NEGROES TO SCHOOL

Chapel Hill, Jan. 12.—(Special)—Law students in the University of North Carolina, in an election supervised by the Law School association, voted almost 4 to 1 today against admitting Negroes to the university.

The exact count was 18 for the proposal and 65 against. Unlike the graduate school poll yesterday, this was regarded as a representative ballot since the enrolment of the law school is 119.

The Law School association called for the vote after a reporter for the Daily Tar Heel, student newspaper, said he gathered the impression that most of the law students favored the proposal.

A vote taken by the Phi Assembly, one of the two debating societies, also showed sentiment opposed to the admission of Negroes.

Wilson, N. C. Wkly. Times
January 13, 1939

MORE NEGROES ARE SEEKING TO ENTER UNIVERSITY OF N. C.

Chapel Hill, Jan. 10—In a copyrighted story this morning, The Daily Tar Heel, student newspaper of the University of North Carolina, said it has been informed by reliable sources that eight North Carolina Negro residents have applied for admission to the University of North Carolina.

However, all University officials questioned asserted they hadn't "heard a thing about it."

Other developments in the situation precipitated by a New York Negro woman seeking entrance into the University Graduate School on the grounds that Negro schools did not provide equal facilities, were:

An unofficial survey of the law school yesterday showed that a majority of the students were in favor of immediate admission of Negroes.

The matter of graduate and professional and specialized courses for negroes took on added significance last week when a negro woman applied for entrance to the University of North Carolina, apparently basing her petition on the recent Missouri case in which the United States supreme court held that the state must provide such courses for negroes.

Clover, S. C., Herald
January 12, 1939

Would Expand Negro Education In N. C.

Raleigh, N. C., Jan. 10. —A measure to establish graduate and professional courses for negroes at the North Carolina College for Negroes at Durham and at the agricultural and technical college at Greensboro was introduced in the legislature today.

DISCRIMINATION-1939

NORTH CAROLINA

Asheville N C Citizen
March 20, 1939

AN OBLIGATION

Decision of the North Carolina Senate to delay consideration of the biennial appropriations bill gives a ray of hope to those persons struggling for the cause of higher education in North Carolina.

As passed by the House, the money measure restores at least a part of the funds so vitally necessary to run our educational institutions. When the bill reached the Senate last week, however, its appropriations committee refused to accept Governor Hoey's "compromise" proposal providing for about $500,000 in funds to benefit the University of North Carolina, the public schools, the advertising program, Western Carolina Teachers College and the N. C. College for Negroes at Durham. This action, of course, put the educational problem right back where it had been before.

The Citizen can sympathize with the Senate committee in its zeal to make income and outgo balance. North Carolina prides itself for a fiscal situation unique among most states — a balanced budget. The question of matching revenue with spending requirements has been before the General Assembly so long that a straining of legislative patience is but a logical consequence.

Certainly, North Carolina can not afford to run heavily into debt. On the other hand, can she afford to stiffle public education — the fountainhead in the present century of her progressiveness and prosperity—by denying it the means of survival and growth?

We think not. Today the Legislature is to be advised by Commissioner Maxwell of the present status of tax collections. He has indicated that revenue is running well ahead of last year, and that more funds may be realized to meet educational requirements. But even if this most fortunate condition should not be found to obtain, the Senate will do well to consider deeply its preliminary rejection of the Governor's compromise. This proposal will make possible at least a half-way meeting of our educational needs. An electorate sensitive to these important requirements will insist that when the Senate votes Tuesday it fulfill the people's obligation to the cause of public education in North Carolina.

Woman Wins Damage Suit Against Western Union

STATESVILLE, N. C., Dec. 15 (ANP)—Mrs. Mercy Keaton, well known Statesville resident, was awarded $250 damages Friday by a jury in Judge Allen H. Gwyn's Superior court. Defendants in the case were the Western Union Telegraph company and Night Operator R. E. Patten.

Mrs. Keaton was represented by Attorney F. W. Williams of Winston-Salem and the case was the result of an altercation between Mrs. Keaton and Operator Patton. Last March, when her grandmother died, Mrs. Keaton went to Western Union to send a wire to her uncle in Baltimore.

Pleadings 12-15-39

Later that night Patton reported that the telegram had not been delivered because of imperfect address. He sent for Mrs. Keaton to get the right Baltimore number, and when she arrived, found out for the first time that the sender was colored. She said he immediately became sarcastic and insulting.

During the argument over the undelivered message, Mrs. Keaton said that Patton told her if he "had known it was a goddam nigger he wouldn't have sent the telegrom. Then says Mrs. Keaton, Patton struck her in the face, causing severe injury to her eye.

Mrs. Keaton brought suit against the Southern Railway (in whose station Western Union is located) and the other two defendants. She asked actual damages of $20,000, punitive damages of $10,000. The case against Southern Railway was non-suited and the jury declared the plaintiff was not entitled to punitive damages. They then awarded her $250 actual damages for personal injuries.

Two States Put on Spot

Woman Applies to N.C. University and Gov. Hoey Acts

RALEIGH, N.C.—Echoes of the Gaines case victory boomed through this State last week when a woman residing in New York demanded entrance to the University of North Carolina, and the Governor asked the Legislature to provide graduate courses for colored people.

The woman's identity was not made public, and some concern was expressed over whether she is a citizen of North Carolina.

Governor Clyde R. Hoey said that he recognized the necessity for providing professional training as decreed by the U.S. Supreme Court, but told the legislature that there would be no race mixing in schools.

Calls It Equality

Calling mixed schools examples of race equality, the Governor urged establishment of courses in pharmacy, law and medicine at North Carolina College in Durham. He said that graduate agriculture and technology courses should be launched at A. and T. College in Greensboro, when the occasion warranted.

Dr. Frank P. Graham, president of the University of North Carolina, said that he believed that equal training should be provided at North Carolina College and A. and T. long before the Gaines decision.

He stated that the question of admission of colored students to the university would have to be settled by the legislature, and pointed to the fact that the governor recently received recommendations from a legislative committee calling for higher and improved educational facilities for colored citizens.

Teachers Salaries Lower

Touching on the matter of teachers salaries, Governor Hoey said that colored are paid lower salaries than whites because their educational requirements are not as rigid as those for whites.

The governor recommended that teachers be paid on the twelve month basis rather than eight. He said that teachers had found it hard to save enough money to last during the four idle months.

The total amount for the year would be the same, but divided over a period of twelve months instead of eight and teachers would be under no obligation to work without pay during the idle months.

Spartanburg, S. C., Herald
January 6, 1939

N. Y. NEGRO WOMAN WANTS TO ENTER N. C. UNIVERSITY

Chapel Hill, N. C., Jan. 5 (AP).—Dean W. W. Pierson, Jr., said today a negro woman of New York City had applied for entrance into the University of North Carolina graduate school. Pierson did not disclose her name, but said she wished to enter soon.

Application for entrance by a negro to the University of North Carolina is not unprecedented, but some officials of the university expressed the belief that the current application was the first of a number of test cases that might be expected in Southern institutions as a result of recent ruling of the United States supreme court. That decision held that a Missouri negro had the right to attend the University of Missouri law school if equal facilities were not provided for negro law students in that state.

The North Carolina state constitution decrees separate institutions for the negroes.

Pierson said that the application would be referred to President Frank P. Graham upon his return to the university within the next day or so.

Pierson explained that the practice had been to write the negro applicant respecting the state law. That, he said, usually had been sufficient. In a few instanecs, however, he said, applicants were sent to negro institutions in other states at the expense of the state of North Carolina which provides money for that purpose.

Hendersonville, N. C., Times-News
January 7, 1939

NEGRESS SEEKING ADMISSION TO U.N.C. RAISES QUESTION

CHAPEL HILL, Jan. 7. (UP). Application for admission to the graduate school of the University of North Carolina has been made by a negro woman living in New York City, university officials said yesterday.

A recent U. S. supreme court decision gave Lloyd Gaines, negro, the right to attend the University of Missouri Law School if the state did not provide equal facilities for negro law students in that state.

University of North Carolina officials believed that the application to it was probably the first of a series of test cases that might be expected in southern educational institutions as result of the supreme court ruling.

North Carolina's constitution decrees that whites and negroes shall attend separate educational institutions. In his message to the 1939 general assembly, Governor Clyde R. Hoey discussed the state's traditional opposition to mixed education and recommended establishment of law, pharmacy and medical courses for negroes.

It is expected that the university will follow the same procedure with the negro woman's application as is customary, offering to pay her expenses to attend a graduate institution in another state.

If she insists on being admitted to that particular university, the administration probably will submit the problem to the board of trustees who in turn may refer it to the legislature.

Campus Vote Is One-Sided

Miss Murray's Application Still Active

Special to Journal and Guide

CHAPEL HILL, N. C. — The graduate students of the University of North Carolina voted overwhelmingly to admit Negro graduates to the school, an informal poll of student opinion revealed recently. The students voted 82 to 38 that admission of race students was desirable after the rejection of Miss Pauli Murray's application by Dean W. W. Pierson had been made public.

The action followed a similar poll of opinion in the law school a few days before at which time the majority of the law students favored admission. Miss Murray, now working in New York City, is persisting in her efforts to gain admission to the graduate school.

She is a native of Durham, N. C.

The actions of these student groups were reported in the Daily Tar Heel student publication, which conducted the unofficial surveys.

Simultaneously, it was reported that six or eight other Negro students had applied for admission to the University's graduate schools but officials at the Chapel Hill school disclaimed any knowledge of these applications.

APPLICATION REJECTED

However, Miss Murray's application was formally acknowledged and rejected by the dean of the school. She sought to study social sciences at the University under widely-known professors.

At wide variance were the reactions of Negro leaders to the North Carolina situation.

Dr. J. E. Sheppard, president of the North Carolina College for Negroes at Durham, N. C., said that he felt that "Negroes could do their best work only in their own schools" and that enlargement of existing facilities would give increased opportunities to competent Negro educators.

NO EQUALITY

Roy Wilkins, editor of The CRISIS, responded to a telegram sent by the Daily Tar Heel by saying: "We have opposed separate schools for the races since the beginning of the NAACP thirty years ago because all surveys and statistics show conclusively that there does not exist in America a so-called equal school system." It was pointed out that Negroes invariably receive less advantages than are due them.

Walter F. White, executive secretary of the NAACP, further stated that "these conditions force us to the inevitable conclusion that the only method of securing equal opportunity in public education is for the Negro to hold as an ideal the attendance at the same institutions with the whites.

"The University of Maryland admitted a Negro to its law school after a court decision and he was graduated in June, 1938, after attending classes with absolutely no friction from students or faculty.

NEGRO STUDY TESTED IN NORTH CAROLINA

Woman Applies for Graduate Work at State University

Special to THE NEW YORK TIMES.

CHAPEL HILLS, N. C., Jan. 5.—President Frank P. Graham of the University of North Carolina had on his desk today an application for a Negro woman, now living in New York City, for admission to the graduate school.

Dr. Graham was out of town; his secretary, Miss Katherine Lackey, said the application likely would be handled in the same way as several applications which have previously been received from Negroes. After proof of qualification, the State has paid the applicants' tuition at institutions in other States, when North Carolina schools for Negroes did not provide the courses sought.

The State Constitution decrees separate educational institutions for Negroes and whites.

The present application follows the recent decision of the United States Supreme Court granting

Lloyd Gaines, Missouri Negro, the right to attend the University of Missouri Law School if equal facilities were not provided in Negro schools of that State. It is regarded as the first of a number of test cases.

Faculty opinion today was that, should the New York woman resort to legal action, the university administration would submit the case to the board of trustees, who in turn might submit it to the Legislature.

One solution of the problem in this State, it was noted, would be to provide graduate and professional courses at North Carolina College for Negroes, as was advocated by Governor Hoey in his message to the Legislature today.

Chapel Hill, N. C., Weekly
January 6, 1939

Negro Asks To Be Taken into The University

Legal Questions Involved, and So Attorney General Will Be Called into Consultation

APPLICATION IS RESULT OF DECISION OF COURT

As a result of the recent decision of the United States Supreme Court, that under the "civil rights amendment" to the Constitution a state must provide equal educational opportunities for whites and negroes, a negro woman in New York has sent to W. W. Pierson, dean of the University graduate school, a letter requesting that she be admitted as a student here.

No reply has been made yet. President Graham, Dean House, and Dean Pierson are to discuss the matter with the state authorities. There are legal questions involved, and the state attorney general will be consulted. In view of the North Carolina statute requiring that the two races be educated separately, the present request could not be granted without being considered by the University trustees.

If, as appears to be the case, the applicant is not a citizen of North Carolina, the Supreme Court decision will not apply to her.

The decision did not say that whites and negroes must be educated together, only that they must be treated equally in the quality of the education provided. A state may, if it chooses, comply with the decision by establishing new negro institutions or improving those already in existence. After the publication of the decision President Graham said he thought that the proper solution of the problem was the provision of adequate facilities at negro institutions.

Greensboro, N. C., Record
January 6, 1939

Graham Says Legislature Must Rule Upon Negro's Application

University President Declines to Comment On Negro Woman's Act

CHAPEL HILL, Jan. 6.—(AP)—President Frank P. Graham of the University of North Carolina believes the question of negro application for admission to the state institutions of higher learning is something for the legislature to decide.

He declined today to comment on the application of a negro woman of New York city for entrance in the graduate school of the university. Some observers saw in the application the forerunner of a number of applications by negroes to enter southern institutions on the strength of the recent United States Supreme court decision in the case of the Missouri negro. That opinion held that the negro had the right to enter the University of Missouri law school where equal facilities were not provided in the state for the education of negroes in that field.

Dr. Graham pointed out that Governor Hoey had a commission working on the whole matter of the question of negro education and that this commission would recommend a state policy. That, he said, probably would result in action at the current session of the general assembly.

Awaits Information.

Governor Hoey at Raleigh declined to talk on the subject of the application of the New York negro woman, pending further information.

In his biennial message to the legislature yesterday, Hoey recommended that courses in such subjects as law, medicine and pharmacy be provided at the two state colleges for negroes.

Some observers expressed the opinion that the Missouri decision would not affect the application of the New York negro woman since a state institution, they said, did not have to provide for a non-citizen of the state.

The North Carolina constitution calls for separate institutions for negroes.

Roxboro, N. C. Courier
January 7, 1939

DR. GRAHAM THINKS NEGRO APPLICATION TO UNIVERSITY QUESTION FOR LEGISLATURE

Decline To Comment on Application of Negro Woman Of New York City

Chapel Hill, N. C., Jan. 6 — President Frank P. Graham of the University of North Carolina believes the question of Negro application for admission to the state institutions of higher learning is something for the legislature to decide.

He declined today to comment on the application of a Negro woman of New York city for entrance in the graduate school of the university. Some observers saw in the application the forerunner of a number of applications by Negroes to enter southern institutions on the strength of the recent United States supreme court decision in the case of the Missouri Negro. That opinion held that the Negro had the right to enter the University of Missouri law school where equal facilities were not provided in the state for the education of Negroes in that field.

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In his biennial message to the legislature yesterday. Hoey recommended that courses in such subjects as law, medicine and pharmacy be provided the two state colleges for Negroes.

Some observers of legal bent expressed the opinion that the Missouri decision would not affect the application of the New York Negro since a state institution, they said, did not have to provide for a non-citizen of the state.

The North Carolina constitution calls for separate institutions for Negroes.

Raleigh, N. C., News & Observer
January 8, 1939

SAYS STATE MUST GIVE THE ANSWER

President Graham Reaffirms Position on Professional Education for Negroes

Chapel Hill, Jan. 7.—Asked today for a statement regarding the possible provision by North Carolina for Negro students in this State who desire to take graduate and professional work, President Frank P. Graham said, "The only authoritative answer to the question, as a basic matter of law and public policy, can be given by the State."

President Graham pointed out that long before the Missouri decision of the United States Supreme Court, he held the position that equal provision in graduate and professional work should be made by the State at the North Carolina College for Negroes in Durham and in the field of agriculture and technology, at the State A. and T. College for Negroes in Greensboro. He still holds this position as "a wise answer to the question gradually to be worked out."

He has several times expressed the view that it would be a fine thing for the University of North Carolina and Duke University to cooperate with the North Carolina College for Negroes in making appropriate provision for professional and graduate work at the North Carolina College for Negroes. Some conferences were held looking to this end before the Missouri decision.

President Graham observed that Governor Hoey's State Commission appointed to study the question "is taking a wise long range view of the whole matter as a basis for action by the Legislature in the determination of the public policy of the State for its state institutions."

No "Equality" Resolutions.

Asked about the resolutions passed at the recent Birmingham conference on human welfare, he said that no resolutions were passed regarding social equality of the races or regarding segregation in schools, trains, or busses.

He said resolutions were passed in favor of such matters as equal justice and opportunity for Negroes; for suffrage qualification to be based on education rather than the poll tax; for readjustment of freight rates on a basis of fairness to the industrial, agricultural, and business interests of the South; for Federal aid to the states for public education as a matter of justice to rural America in general and the South in particular, with its disportionately heavy educational load; for state as well as national social legislation in behalf of farmers and all workers as the most basic groups in American society."

President Graham also said that in line with the established policy of no segregation in seating arrangements for specified interracial conferences long observed in North Carolina, Georgia, Tennessee and several other distinctly Southern States but contrary, as it developed, to the policy in Birmingham, a resolution was passed in favor of holding such conferences only in those Southern cities which permitted what he called "the North Carolina-Georgia policy of no seating segregation for specified interracial conferences."

President Graham said that he, along with hundreds of other white North Carolinians, had attended such conferences in the leading churches in this State.

It was recalled that President Pateat, Bishop Penick, and Governor Hoey have addressed interracial conferences in North Carolina held in churches on "the North Carolina-Georgia basis."

Praises Negroes' Attitude.

The University's president said "the Negroes of North Carolina, with their sensibilities and justly deep racial self-respect, are not trying to break through any purely social and personal barriers. The Negroes are not basically demanding social equality but social justice and equality of opportunity. They do not desire interracial marriage but interracial understanding, respect, goodwill and cooperation in building a fairer and more productive South in a more prosperous and nobler America."

President Graham said that interracial relations in North Carolina were "comparatively on a progressively improving basis, as witnessed by the almost entire elimination of lynching and a fairer distribution of the public school fund."

He expressed the hope that "we will not allow the present issues concerning higher education for Negroes to cause us to lose our sense of perspective and to impair the surely developing social conscience making for social justice and interracial goodwill."

Says It Is The Duty Of State

Woman Files Application To Enter University

BULLETIN

The name of the student applying for admission to the University of North Carolina is Miss Pauli Murray. It was officially established by the Journal and Guide this week thru inquiry at the university.

(Special to Journal and Guide)

RALEIGH, N. C.—Simultaneously with the receipt of an application from a colored woman now residing in New York for admission to the University of North Carolina graduate school, Gov. Clyde R. Hoey urged the North Carolina General Assembly to make possible courses in law, medicine, and pharmacy at North Carolina College, Durham, and additional agricultural courses at A. and T. College, Greensboro.

The governor further recommended eventual equalization of salaries paid white and colored teachers, and an increase in the pay of teachers, and an addition of a 12th grade to the public schools. At present the elementary schools have seven grades and the high school four.

The chief executice said that there ought not be too much duplication of work at the two major Negro state schools, but that their work should be related somewhat as the university at Chapel Hill and State College in Raleigh.

DUTY OF STATE

"Because it is our duty as a state," said Gov. Hoey, "to make such provision and in harmony with the Supreme Court decision in the Missouri case, I recommend that such courses as are deemed necessary and essential be established at the college in Durham. If added courses are required in agriculture or technology, they should be provided at the A. and T. College at Greensboro.

"The new buildings already authorized will simplify this work. My investigation leads me to believe that this arrangement can be made without the expenditure of a very large sum of money.

"NO MIXED SCHOOLS"

"North Carolina does not believe in social equality between the races and will not tolerate mixed schools for the races. But we do believe in equality of opportunity in their respective fields of service, and the white race cannot afford to do less than simple justice to the Negro."

The governor said that he rejoiced in the progress that the race had made and that he was proud of th amicable relations between the races in the state. Commenting upon the courts, he said, "I can say without any sort of reservation that the Negro does get justice in our courts."

SEEKS ENTRANCE TO U. N. C.

Word was received from the University of North Carolina on January 5 that an application had been received from an unnamed woman now residing in New York, for admission to the graduate school of the university.

Dr. Graham was out of town, but his secretary, Miss Katherine Lackey, said the application would probably be handled in the same way as several other applications that have been received from Negroes from time to time.

Miss Lackey said that she was not at liberty to give the name of the applicant.

RACE APPLICANT SUGGESTS RACE PROBLEM BE TREATED FAIRLY AT N. CAROLINA UNIV.

Talented Pauli Murray, In Letter Sent To President Graham, Says She Doubts Negro Universities Will Measure Up To Whites.

NEW YORK, Jan. 26—(By ANP)—Ten questions which students at the University of North Carolina might discuss before it is decided definitely to bar Negro graduate and professional students from matriculating there were sent Tuesday to President Frank P. Graham at Chapel Hill by Pauli Murray, former citizen of the Tar Heel state who has applied for admission to the State University.

DOUBTS NEGRO SCHOOLS MEASURE UP TO WHITES

At the same time Miss Murray, who had sought entrance before the recent Gaines' decision was rendered, said she doubted that professional and graduate courses in Negro colleges would measure up to such courses in the white state university because other colored schools in North Carolina have never been given those facilities that would place them on a par with white schools.

Several years ago another colored student, Thomas Hocutt, tried to register in the university pharmacy school, but was rejected. Miss Murray said she understood he was turned down on the grounds his educational qualifications made him ineligible. He received his undergraduate work at a Negro college in North Carolina.

"My personal contacts with other Negro students who have come to Northern colleges for their graduate work, on the basis of their own admissions, has led me to believe that their undergraduate work was so inadequate that it was necessary for them to take additional courses or remain in school a longer period of time to supply this deficiency," said the young woman's letter, as she pointed out the present inadequacy of Negro colleges as compared with white schools.

Miss Murray told Dr. Graham she was particularly interested in the public welfare and social science department at the university and added:

SAYS PROBLEM CAN BE MET THRU FRANK DISCUSSION

"I am well aware of the difficulties and problems which will confront any interracial undertaking south of the Mason-and-Dixon line and I can appreciate the psychological conflicts which would arise in the minds of a group of students faced with a sudden departure from a traditional policy of racial segregation, but I believe this problem can be met through frank, open discussion by representatives of both groups. I conceive of a give-and-take process where prejudices are openly aired and accounted for, where correct interpretations are made and where enlightenment is gained in an atmosphere of mutual co-operation and respect.

"Even if the university does admit Negro students, the qualifications required will eliminate those Negro applicants who have not reached the same educational and intellectual development of the students already present at the school. Such Negro students, it seems to me, would have a definite contribution to make to interracial under-standing and good-will.

"The majority of thinking Negroes regard with skepticism the recommendation of 'equal graduate schools for Negroes in North Carolina,' and they consider it an evasion on the part of Southern white leaders and a strengthening of the bars of racial inequality.

RESENT LAWS BARRING THEM BECAUSE OF RACE

While the majority of Negroes are no more anxious to mix socially with whites than the whites are with Negroes, they rightfully resent any law which prohibits their admittance to any public institution of learning solely because of race.

"The opinion I express here flows directly from my great desire to get at the bottom of those racial prejudices which so inhibit the development of human beings, whether they be white or black. I left the South to try and find the answer, but the enlightenment gained here is not enough; the answer to some of my questions lies in the hearts and minds and intelligence of Southern whites as well as in ourselves, and there is no better place to find some of these answers than in an institution of higher learning with a tradition of liberal thought.

"Finally, since the recent polls conducted at your university indicates an active student interest in this problem, would there be any place in your school program to conduct a discussion at which some questions could be raised for study? (This same experiment was tried out at Harvard University some years ago on the question of Jewish students. I am sure many Negro students all over the country would appreciate knowing the findings of such a discussion.)

Mooresville, N. C. Enterprise
Februarv 9. 1939

Students Opposed To Admitting Negroes To State University

Chapel Hill.—A poll on such questions as corsages for dances, the admission of negroes to the University, late dates, and freshman coeds was conducted by the Carolina Political Union at the mid-Winter German Club dances held her eduring the week-end and the result showed that:

Girls attending the dances voted 101 to 65 for prohibiting corsages at University dances. Boys voted 207 to 70 against flowers.

Thirty-six boys voted yes to the question: "Should negroes be admitted to the Univtrsity?" while 237 said no. Fifteen igrls said yes and 150 no.

"Should girls give dates to boys other than the ones who took them to the dances," was answered negativley by 176 boys and positively by 98. Girls also disapproved by 109 to 59.

"Should coeds be admitted to the University as freshmen" was answered yes by 220 boys and no by 55. Girls were not so definitely in favor of the idea, but approved 99 to 65.

Concord, N. C. Tribune
February 8, 1939

Overwhelming Majority Opposed To Admitting Negroes At State Uni.

Chapel Hill, Feb. 8.—A poll on such questions as corsages for dances, the admission of Negroes to the University, late dates and freshman coeds was conducted by the Carolina Political Union at the mid-winter German Club dances held here during the week-end and the result, announced today, showed that:

Girls attending the dances voted 101 to 64 for prohibiting corsages at University dances. Boys voted 207 to 70 against flowers.

Thirty-six boys voted yes to the question: "Should Negroes be admitted to the University?" while 237 said no. Fifteen girls said yes and 150 no

"Should girls give late dates to boys other than the ones who took them to the dances," was answered negatively by 176 boys and positively by 98. Girls also disapproved by 109 to 59.

"Should coeds be admitted to the University as freshmen" was answered yes by 220 boys and no by 55. Girls were not so definitely in favor of the idea, but approved 99 to 65.

The poll was taken on the automatic voting machines which have been in the CPU's custody since last fall. Girls and boys used separate machines.

N.C. Gets Student Case

CHAPEL HILL, N. C., (ANP)—Regarded here as one of a series of test cases following the Dec. 12 ruling of the U. S. Supreme Court in the University of Missouri-Lloyd Gaines case, President Frank P. Graham of the University of North Carolina last week had on his desk an application for a colored woman, now a New York City resident, for admission to the graduate school.

In President Graham's absence, Miss Katherine Lackey, his secretary, said she was not at liberty to divulge the applicant's name. The High Court's ruling ordered the U. of Missouri to admit Student Gaines to its law school or provide a school within the state that he and others of his race could attend.

Howard President Accuses Industry And Educational Circles Of Discrimination

NAMES EASTMAN KODAK CO. AND UNIVERSITY OF ROCHESTER

Parallels Treatmen of Negro With Nazim

President Mordecai W. Johnson of Howard University in a recent address by the City Club of Rochester, N. Y., charged Rochester charged economic and political mistreatment of the Negro. Dr. Johnson in his address established a parallel between the Nazi persecution of the minorities and the treatment given the American Negro in the southern states.

In speaking of the Eastman Kodak Co. He stated "that your greatest industry deliberately will not permit employment of the black man." The company was challenged to take leadership "under God and Constitution" of the movement to emancipate the Negro economically.

In reply to an explanation by Dr. Valentine of the University of Rochester to the effect that "practical necessity and not racial discrimination," put a limitation on admission of Negro students to the School of Medicine and Dentistry, which, he said, "was a necessity based upon the existing attitude of society at large which, though regrettable, is a fact," Dr. Johnson said. "I can conceive of nothing the Nazis would more desire than to have the heads of American universities confess to that creed."

Gotham Leaders Form "Justice Unlimited" Group

NEW YORK CITY, Jan. 26—(ANP)—Sponsored by the New York University Christian association, white and colored leaders of this city, including Jews, Protestants and Catholics, last week formed the "Justice Unlimited" committee, whose purpose is, through the various churches, to urge employers to make places in their business for trained Negroes.

February 11-12 was named as the date for launching the big movement, with Lincoln's birthday set as climax for the campaign. During the two-day drive, corporation executives and personnel managers will be urged to secure competent colored workers from the various employment bureaus of Harlem.

Corporations and other business enterprises placed on the "Honor Roll" as indication of their willingness to cooperate with the committee and employ Negroes, include Shell Oil company, Eighth Avenue Subway, Borden and Sheffield Milk companies, New York university, Henry Street Settlement, Union Sett'ement, A & P stores, Butler Grocery Co., L. Oppenheimer, Inc., Chas. Weisbecker and Sobol bros.

Frank Olmstead is executive secretary of the NYU Christian association, sponsors of the movement, and colored members of the committee's advisory board include Walter White, NAACP secretary, William Pickens, NAACP director of branches, and Lester Granger, Urban League official.

A committee announcement states: "The average income of college-trained Negroes is from $12 to $15 a week. Negro Employment bureau files show over 21% of applicants for bellhop positions are college grads, 33% with two or more years of college. Of chefs and cooks, 25% had one to three years of college. One employment bureau reported placing 100 people a day but only four Negroes a month."

Brooklyn Meet Aims to End Racial Bias

NEW YORK, Jan. 26 — (CNA) Eight hundred persons attending a meeting in Erasmus Hall High School unanimously adopted resolutions calling on all religious and civic organizations to join in denouncing religious and racial intolerance. The meeting was sponsored by the Flatbush Council to Promote Racial Tolerance.

The meeting was boycotted by a group of clergymen, headed by Mgr. John L. Bedford, a leading Catholic of Brooklyn. A woman and a half dozen young men also attempted to create a disturbance at the meeting, but were ejected by police. Whether the attempted disturbance had anything to do with Mgr. Bedford's opposition to the meeting could not be ascertained. The Catholic leader opposed the meeting on the charge, denied by the committee, that the Flatbush Council to Promote Racial Tolerance is "Communistic."

DISCRIMINATION IN MT. VERNON SCHOOL SYSTEM ADMITTED

WHITE PLAINS, N. Y., Jan. 26—Charges of discrimination leveled last week against the Mt. Vernon Public School system were practically admitted this week by Frank J. Nardozzi, white president of the Mt. Vernon Board of Education.

He agreed completely with Dr. William H. Holmes, superintendent of schools, who held that Negro teachers should not be employed in the local schools except for classes in which Negro children are in the majority.

State Senator Jacob J. Schwartzwald has requested Dr. Frank P. Graves, State Commissioner of Education, to investigate the Mt. Vernon system.

"An inquiry would show that Negro children are accorded the best of treatment in our school,' Nardozzi said. "After all, are we to consider first the plight of two or three unemployed Negro teachers, or that of the 700 Negro pupils in our system?"

He pointed out that Nathan Hale School, with a Negro population of about 40 per cent, was the newest school building in Mt. Vernon, and that it "is staffed by as competent a group of teachers as any school in the city."

MANY WHITES WOULD MOVE FROM NEIGHBORHOOD

He concurred in the opinion of Dr. Holmes that many white persons would move from the neighborhood of any Mt. Vernon School in which a Negro teacher has a position, and realty values would depreciate.

"There was a storm of protest from parents when once we assigned a Negro substitute teacher," he remarked.

TIBBETT, FARRAR AND STOKOWSKI AMONG THOSE WHO HIT DAR

NEW YORK, Feb. 2—Famous names in the world of music including stars of the Metropolitan Opera, voiced a strong protest against the action of the Daughters of the American Revolution in barring Marian Anderson from singing at a concert in Washington's Constitutional Hall, April 9.

The D. A. R. owns the building, the only suitable concert auditorium in the nation's capital, and has a contract clause prohibiting the appearance of colored artists in the hall.

In a telegram addressed to the N. A. A. C. P., in which he termed the action of the D. A. R. "indemocertic and un-American," Lawrence Tibbett, star of the Metropolitan Opera and president of the American Guild of Musical Artists said: "You can count upon my personal support for any action to alter this rule. I shall also recommend that the board of governors of the Guild pass a resolution supporting your stand."

Others who voiced similar protests in telegrams to the Association included: Kirsten Flagstad, famous soprano of the Metropolitan Opera, who said: "As a foreigner in America, I have always been impressed by the freedom and democracy in this country. I therefore am greatly surprised to learn from you that the use of Constitution Hall in Washington, has been refused for a concert to my fellow artist, Marian Anderson."

Geraldine Farrar, former Metropolitan Opera star, called for rescinding "so unjust a ban in our country that loudly proclaims its democratic principles in the interest of a superb artist."

"The doors of Constitution Hall should be opened wide for Marian Anderson," said Walter Damrosch, famous composer and conductor.

Speaking for Leopold Stokowski, former conductor of the Philadelphia Symphony Orchestra, who described Miss Anderson as one of "the World's greatest artists," Faith Reed, his assistant said, "America should value its artists. They are an important part of our national and cultural life."

"Guinea Pig" Experiment In Motherhood Stalls When Woman of Color Shows Up

IcFadden Foundation Wants Only White Women to Secure Blessing of New Science

Told Painless Birth Not For Her

NEW YORK.—(ANP)—One of the most pathetic of the many stories emanating from Harlem came to light Thursday when Mrs. Fannie S. Watson, a former resident of Aiken, S. C., revealed how at the behest of an organization sponsored by the physical culture faddist, Bernarr Mc Fadden, she journeyed to New York offering herself as a guinea pig in a "scientific experiment concerning motherhood," only to be rejected when it was revealed by her personal presence that she was not white, according to the decision taken following her arrival at the office of the "foundation" bearing the McFadden name.

During the past few months, Mrs. Watson has been interested in her physical well being and followed diligently the information disseminated by the magazine published by Mr. McFadden's interest, "Physical Culture." One particular advertisement caught her eye.

It appealed to pregnant women throughout the country to join in the experiment being conducted by Mr. McFadden's foundation proving that motherhood could be attained without fear and without the usual attendant ballyhoo. Unaware that the advertisement was not intended for her, since it made no statement to that effect, Mrs. Watson entered into voluminous correspondence with the organization and received several letters, the result of which was her coming to New York in the hopes of being accepted for the experiment.

When she arrived in New York and presented herself at the office of the organization, she was met with rebuffs and told that "the present quota was filled." She was not permitted to attend the banquet given the prospective mothers who had been accepted for the experiment, neither was she permitted to join the group which was en route to Dansville, N. Y., where the experiment was to be attempted.

Returning home, or at least to her lodgings in Harlem, Mrs. Watson was advised to take the matter to the New York Urban league. At this place, an official who sensed the legal aspect of the case, referred the pregnant woman to the local offices of the N. A. A. C. P. Immediately upon obtaining the information in the case, James Egbert Allen of that organization contacted the foundation to ascertain just what was being done.

One of the directors, upon learning the intent of Mr. Allen's group, refused to discuss the matter and declared that Mrs. Watson had been given a return ticket home. But Mr. Allen, determined to see that something was done in the case, is planning further action and said he would also turn the entire case of discrimination in the McFadden foundation over to the Temporary Commission on Urban Conditions among Negroes. This will bring to light fully all angles of the discriminations practiced in the organization, if any, in addition to the case of this woman who, at her own expense and great phsical suffering, traveled from South Carolina only to be rejected.

Mrs. Watson claims that her physical condition is such that traveling is painful and possibly injurious to her. She further alleges that no attempt was made to compensate her for the time she has been in New York at her own expense, when if she had been advised that she was ineligible prior to coming to New York, the money she spent for her fare here could have well been utilized toward her pending confinement.

Mrs. Watson, besides being in her present physical condition, is greatly upset over the turn of affairs, and having no means of support, is likely to become a public charge unless the foundation can be made to either accept her or defray the expense involved in the situation.

HEAD OF QUIZ HITS UR FOR BAN ON NEGRO

D&C 1-6-39

Legislator Warns Medical School May Be Taxed

University of Rochester Medical School officials yesterday were blasted by a state Legislative commission chairman for "exempting yourselves from the very constitutional rights you teach students to uphold" and warned that the day might come when the institution will lose its tax exemption for what was termed "discrimination against color."

Democrat Chronicle

The commission chairman's attack was leveled at Dr. George H. Whipple, dean of University School of Medicine and Dentistry, and Dr. Basil MacLean, medical director of Strong Memorial Hospital, following testimony by the two men at a hearing in City Hall that Negro doctors and nurses are excluded from practice in the hospital, owned by the University.

Ban Laid to 'Ignorance'

Facts of the two physicans' testimony were branded "a demonstration of sheer ignorance" in the attack of State Senator Jacob J. Schwartzwald of Brooklyn, who presided over the seven-hour hearing conducted by the New York State Temporary Commission on the Condition of the Urban Colored Population.

He suggested to the witnesses "that you take up the whole matter with your hospital of bringing itself in line with the federal and state Constitution and provisions of the Tax Law which says that an institution which draws on public funds cannot discriminate because of race color or creed."

"We are not responsible for the prejudice which exists," testified Dr. Whipple, "but we know from experience that it is impossible in services of certain types to use colored students without disrupting the hospital service."

Applicant Letter Cited

The commission produced a copy of a letter sent by the school of Negro applicants stating "it is possible for this school to give the work of the first two years but it would be impossible for us to offer clinical training, particularly in obstetrics, which is of fundamental importance . . . therefore we feel it would be much wiser for you to apply to several of the schools which can and do give adequate clinical training to Negro students."

When Dr. MacLean testified that white nurses at Strong Memorial have said they would not work with colored nurses, he was asked by Mrs. Lillian Alexander of New York, another member of the commission, to what extent the nurses dictate the policy of the institution. His defense of discrimination on the grounds of the welfare of patients and nursing staff brought a reply from Schwartzwald that Bellevue Hospital, "the greatest in the world" finds that white and Negro nurses work harmoniously side by side.

'Discrimination Flaunted'

"Not only does the University discriminate," stormed Senator Schwartzwald, "but it flaunts its discrimination."

The commission piled up testimony of 10 leading Rochester industries and public utilities showing that 22 Negroes are employed out of a total of about 35,000 workers prompting comment from Schwartzwald that "conditions in Rochester are appalling—the worst we have found."

One by one the employment managers took the stand to say that Negro applicants have been scarce, that no discrimination because of color has been practiced, and at least two indicated to the commission that they would co-operate in an endeavor to place qualified Negroes in their plants. Those were Emmett R. Costich, traffic superintendent of the Rochester Telephone Company, and William C. Goshell, employment manager of the Rochester Gas & Electric Company.

A roar of laughter filled the City Council Chamber, seat of the hearing, when Robert H. Link, personnel director of the City of Rochester, admitted "that there's no use beating around the bush about it—the patronage setup largely determines who shall get the jobs in the noncompetitive classifications." Forty-two of the 2,000 workers outside of Civil Service employes are Negroes, he testified.

Members of the commission observed privately "that he's the first city official in all our hearings who has admitted the patronage side of it."

Spinning Testifies

Three Negro girl students—one a teacher, one a new student at the Eastman School of Music and the other an applicant for training at the State Normal School in Brockport—were drawn into testimony of Superintendent of Schools James M. Spinning, Edward J. Bonner, principal of the former City Normal School, Bernard W. Drake, director of teacher training at the Brockport School, and Miss Marion Davis, casher of the Eastman School of Music.

Testimony by Dr. Charles T. Lunsford, Rochester Negro physician, cited alleged attempts on the part of Bonner as City Normal School head to prevent Miss Dorothy Jarrett from applying for a position in the Rochester public schools upon graduation. He contended "she practically had to take an oath on it that she wouldn't try to get in one of the schools here."

Bonner told the commission he had not sought to discriminate "but to advise" and defended himself with the assertion he had sent a good report of the girl's work to the Board of Education. Superintendent of Schools Spinning, whom Dr. Lunsford described as "one of the fairest men I ever met," disclaimed any knowledge of the Jarret affair, which took place before he took his present office, but declared no prejudice exists against Negro teachers. Teaching jobs are limited, and that applies to any and all races, he said.

Eastman Stay 'Unhappy'

Miss Davis' testimony centered about a young woman student whose stay at the Eastman Dormitory was short because, as Miss Davis put it "she was very unhappy there. "The Rev. James E. Rose, D. D., pastor of Mt. Olivet Baptist Church, countered on the stand that "she hardly had time to get unhappy because I don't believe she was there more than a day." Officials of the school had asked him to seek another place for her, explaining that she couldn't be kept at the dormitary, Dr. Rose said.

Drake, in denying that Norinne Anderson, East High School graduate, had been rejected at Brockport because of race, testified that the policy of the school is "equal opportunity for all of the children of all the people."

Testimony in denial of charges of discrimination in industry was given by Ray W. Waldron, Kodak Park employment manager; Miss Eleanor Good, Hickey-Freeman Company; Leon H. Brown, Rochester Transit Corporation; James B. Whittaker, secretary-treasurer of Amalgamated Clothing Workers Union; Parks Director Patrick J. Slavin, and John O. Williams of Gleason Works.

BIAS AGAINST NEGRO IN STATE IS CHARGED

Legislative Commission, Reporting on 2-Year Study, Alleges Wide Discrimination

14 REFORM LAWS ASKED

Schwartzwald Board Accuses Local Governmental Officials and Hits Labor Unions

Special to THE NEW YORK TIMES.

ALBANY, Feb. 26.—Wide-spread discrimination against New York's 500,000 Negroes in the fields of employment, housing, education, recreation and hospitalization is charged in the summary of a report to be made to the Legislature tomorrow night by the Temporary Commission on the Condition of the Urban Negro Population, an official legislative body, after a two-year study of the problem.

That the commission believes this discrimination to have been practiced by local governmental agencies and by labor unions is indicated by a list of fourteen proposed legislative reforms, which will be introduced in the Legislature tomorrow night by William T. Andrews in the Assembly and in the Senate by Jacob J. Schwartzwald, John J. Howard, George L. Thompson and Walter J. Mahoney, all members of the commission.

The bills, more clearly than the summary, outline the proposed reforms. Their aims are as follows:

1. To deny the benefits of the State Labor Relations Act to labor organizations which deny persons membership or equal treatment by reason of race, creed or color.

2. To strengthen existing provisions of the law regarding employment by public utilities and provide for maintenance by all public utilities of a merit system of employment with provision for public announcement of vacancies, rating of applications and maintenance of eligible lists.

Provision on Contractors

3. To strengthen existing legislation prohibiting racial discrimination in employment by contractors who perform State or local public works contracts and by public utilities.

4. To prohibit any form of racial or religious discrimination in public employment and to set up procedures for inquiring into and rectifying any such discrimination.

5. To amend the Civil Service Law by requiring appointing officers who may pass over an eligible in favor of a lower eligible to make sworn certification of the reasons therefor.

6. To make provisions for extending to all cities in the State formalized procedures in the selection of teachers in the public schools, such as now are in force in the cities of New York and Buffalo.

7. To regulate contracts of public utilities with their employes to the end that a labor union having a closed-shop contract with a utility may not practice discrimination against applicants for membership.

8. To prohibit racial discrimination or segregation in any housing project operated by a public housing authority or owned by any limited-dividend company enjoying tax exemption.

9. To regulate the procedure for admission to public educational institutions to insure that qualified applicants for admission shall not be excluded by reason of race, color or creed.

10. To make express the withdrawal of tax exemption from educational institutions which deny the use of their facilities, by reason of race or color, to persons otherwise qualified.

Tax Exemption Involved

11. To supplement existing statutory provisions designed to insure all persons equal facilities and privileges in places of public accommodation by providing for the suspension or revocation of the license of any place of public accommodation denying such equal facilities or privileges; and enlarging the definition of places of public accommodation.

12. To amend the law to deny exemption to non-sectarian corporations and associations holding real property (presumably

hospital and cemetery corporations) and denying use of its facilities to persons by reason of race, color or creed.

13. To empower the State Labor Department to investigate complaints of discrimination by public works contractors and grant redress to affected persons by way of action for civil penalty.

14. To amend the penal law to make discrimination in civil service employment, by reason of race, creed or color, punishable by fine and imprisonment.

In a joint statement, issued with the summary of the report, Senator Schwartzwald, who was chairman of the commission, and Assemblyman Andrews, vice chairman, said:

"We realize that no successful attacks can be made on the secondary problems of New York's Negro citizens until the basic handicap of inadequate income is removed. Bad housing, juvenile delinquency, high mortality rates and attendant evils will continue as long as vast areas of possible and preferred employment are barred to a large percentage of the colored population.

"We realize that there is need for State-wide action beyond what can be accomplished through legislation alone. Laws can set the pattern for community improvement, but they reach maximum effectiveness only with the support of an aroused public opinion which understands their importance."

Sees Law's Aims Disregarded

In another section of the summary the commission said:

"Your commission feels justified in stating that the principle and intention, frequently avowed by the State Government and the people of the State of New York, to accord all constituents of the population equal opportunity to share in the rights and privileges of citizenship have been disregarded by many local government authorities, who have been reluctant to remedy unfavorable conditions which make it impossible for Negroes to share equally such rights and privileges of citizenship.

"Failure of these local government officials to act—and the additional fact that these conditions have State-wide implications and seriously affect the general public welfare of the State—makes it imperative that action be taken by the State Legislature—'legislative action,' in the words of His Excellency Governor Lehman, 'that will give real significance to the declared principle of equal protection of the laws irrespective of race, creed or color.'"

The legislative commission came nto existence in 1937 as an aftermath of the Harlem riots some time before. Beginning work under a budget of $30,000, it was continued by the 1938 Legislature and received an additional $25,000 fund. Public hearings were held in cities throughout the State, with field surveys in areas where no hearings were held.

The members of the commission, in addition to Senator Schwartzwald and Assemblyman Andrews, include the Rev. Michael Mulvey, secretary; Gerald E. Allen, executive director; Lewis Mayers, counsel; Charles L. Franklin, director of research; State Senators John J. Howard and George L. Thompson, Assemblyman James E. Owens and former Assemblyman Robert W. Justice; Henri W. Shields, Augustine A. Austin, Dr. Edward Jones, Elizabeth Ross Haynes and Lillian Alexander.

HARLEM WOMEN WAR ON RACE PREJUDICE

Launch a Campaign to Deluge Albany With Protests

3-26-39

Charging racial prejudice in employment, education, housing and other fields, speakers at a meeting yesterday of the Harlem Women's Committee to Promote Anti-Disdiminatory Legislation likened conditions in this State to those in Mississippi and drew from 100 committee members pledges to get 100,000 Harlem residents to send to Albany a "blizzard" of postcards making known their views. The meeting was held at the Mimo Club, 2,237 Seventh Avenue.

"We haven't got the Mississippi chain gang, the sharecroppers' condition or 'Judge Lynch,' but every once in a while they say in effect in New York State to 'lynch the niggar,'" declared Mrs. Lillian Alexander, a member of the State Temporary Commission on the Condition of the Urban Colored Population, which recently concluded a two-year investigation throughout the State.

She said the commission had found "deadly insidious discrimination that will surely destroy democracy if we don't destroy it." Her words were seconded by Assemblyman W. T. Andrews, vice chairman of the commission.

Protesting the action last week of Assembly Committees on Civil Service, Education, Judiciary and Labor in killing seven bills backed by the commission and four others introduced by individual Assemblymen, the Harlem women said they would concentrate on fighting for passage of seven similar bills now before the Assembly Rules Committee.

Other speakers were the Rev. Michael Mulvoy, secretary of the commission; Gerald E. Allen, executive director, and Mrs. Sarah Pelham Speaks, chairman of the women's committee, who presided.

N. Y. Legislator Jim Crowed at Banquet

NEW YORK CITY.—(ANP)—Assemblyman William T. Andrews last Thursday complained to fellow members of the assembly that at Wednesday's testimonial in Ten Eyck Hotel, dinner to James H. Millard, confidential clerk to Majority Leader Irving M. Ives, there was rank discrimination in the festive hall.

STRANGE SCIENCE IN NEW YORK

New York newspapers disclose that the "blood bank" at Harlem Hospital, and presumably at other municipal hospitals maintained out of tax money supplied alike by colored and white citizens is dividing the stored blood according to "race"

Science has all along maintained that blood is divided nto four types but these have nothing to do with so-called race and all the blood is red regardless of its source.

But America is right in line with Nazi Germany when it comes harnessing science to the juggernaut of race.

It is frequently stated in this country that the difference between a democratic nation like the United States and a totalitarian nation like Germany is that race proscription is not official here, but the New York hospital policy on "blood banks" disproves this.

It is evidently the belief of the officials of this "liberal" American metropolis that the blood from Negroes is so "degraded" that it must not be administered to white patients, so the two kinds of blood must be kept separate.

Up to date New York's "liberal" Mayor La Guardia has not stopped this unscientific and Negrophobic practice.

Rochester Repudiates Ideals of Douglass

Commission Hears Testimony On Race Population

(Special to Journal and Guide)

ROCHESTER, N. Y.—The city of Rochester, whose white and Negro citizens annually pay eloquent tribute to the memory of Frederick Douglass, was shown by the public record this week to have repudiated the principles of that famous abolitionist; and to have forgotten the equality and freedom once preached in this noted station of the Underground Railroad.

Paralleling its revelations in Syracuse, another anti-slavery stronghold, the Temporary Commission on the Condition of the Urban Colored Population disclosed, through public hearings, that the Negro residents of Rochester have been practically severed from the economic life of the community; that their attempts at racial advancement usually encounter a blank wall, and that even the school teachers discourage colored children from aspiring to more than menial positions.

The revelations were made at a hearing in the City Council Chambers recently, presided over by State Senator Jacob J. Schwartzwald and Assemblyman William T. Andrews. Questioning the many witnesses called to the investigation were Commission Members Lillian Alexander, Dr. Edward Jones and Assemblyman James E. Owens, as well as Prof. Lewis Mayers, William Pickens, Jr., and Pauline Malter, associate counsel.

ONLY ONE TEACHER

Highlights of the testimony, taken from public, private and utility executives, showed that of 20,000 employees of two large private corporations, only 19 Negro laborers and one Negro janitor were included on the payroll; of 4,800 civil service and non-competitive city employees, only 42 Negro common laborers were listed; of 2,004 school teachers, only one is a Negro, and of 5,659 workers in four public utility corporations, three Negro maids and two Negro janitors are the only colored employees. In short, of 32,463 persons gainfully employed in these representative fields, Negroes hold a mere 68 jobs—the vast majority of which are menial laboring posts.

Equally startling was the frank testimony of the University of Rochester officials that Negro medical and nursing students are openly barred from the school's medical and nursing courses. Negro doctors and graduate nurses are likewise barred, they stated.

Revelation of this situation brought a prompt threat from Senator Schwartzwald to seek the removal of the university's tax exemption for violation of the State tax and civil rights laws which forbid such discrimination.

VIOLATE LAW

The medical school situation was brought to light by Dr. George H. Whipple, dean of the school and Nobel prize winner, who not only admitted that Negroes were barred —in violation of the law—but defended the practice by saying that their admission would disrupt the service, disturb the patients and make hardships for white students. He cited the exclusion of Orientals from California medical schools as precedent.

Dean Whipple also read a copy of the form letter which is sent to all Negro medical applicants and which states "It is possible for this school to give the work of the first two years, but it would be impossible for us to offer clinical training, particularly in obstetrics, which is of fundamental importance in the clinical curriculum."

The banning of Negro student and graduate nurses from the university's training school and the two city hospitals was revealed by Dr. Basil McLean, superintendent of Strong Memorial Hospital. Defending the practice, he told the commission that it wouldn't be changed unless the university was forced to do so, and that he didn't believe that the school could be forced to, despite the law.

CONDEMNS PRACTICE

Senator Schwartzwald, Assemblyman Andrews and Mrs. Alexander bitterly condemned the practice and threatened to institute action against the University of Rochester unless the bans were removed.

The practice of white school teachers discouraging Negro pupils from seeking professional training was brought out by Dr. Charles Lunsford, prominent community leader, after James M. Spinning, superintendent of schools has testified that there was no discrimination in the school system here. Praising Mr. Spinning, and exonerating him of responsibility, Dr. Lunsford cited cases where public schoolteachers had tried to thwart the ambition of colored students.

The Negro medico also charged that the Rochester Normal School (now discontinued) from which elementary school teachers are chosen, refused to admit a Negro girl unless she would promise not to seek a teaching job in Rochester. This Normal graduate, Miss Dorothy Jarrette, is now teaching in Atlantic City. Three previous graduates of the Normal obtained Rochester positions. Only one remains in the system now, one having died, and the other resigned.

Dr. Milton Banner, former principal of Rochester Normal, denied forcing Miss Jarrette to make such a promise, but admitted "suggesting" that she seek employment elsewhere. Bernard W. Drake, principal of Brockport State Normal School, denied discrimination in admission of students to his school, stating that "one or two" Negroes are included in the 90 to 120 students admitted annually. He admitted however that an honor student from a Rochester high school had been rejected when she applied. Negro youth is captain of Brockport basketball team.

JOB PICTURE DARK

The employment picture was uniformly dark. A number of employment managers told practically the same dreary story, but all denied that their companies practiced racial discrimination in hiring workers.

Ray W. Waldion of the Eastman Kodak Company admitted that a single Negro, a handy man, was the sole colored employee among approximately 17,000 workers in Eastman plants. Nineteen Negro laborers are employed by a subsidiary construction company recently purchased by Eastman, he said. Senator Schartzwald pointed out however that the construction company hired the Negroes before the kodak firm took it over. Waldion said the almost total absence of Negroes on the payroll was "purely coincidental." He admitted that the company had failed to employ Arthur Blake, a colored graduate chemist from the University of Rochester, but insisted that few Negroes applied for jobs.

CLAIM FEW APPLY

William C. Gosnell of the Rochester Gas and Electric Corporation admitted that three maids were the only Negro employees among the utility's 2,500 workers, but denied any job ban. Few applied, he said. The same position was taken by Leon R. Brown of the Rochester Transit Corporation in justifying the employment of a single Negro janitor among that company's 1,000 workers. One Negro, an assistant foreman, is employed among the 1,069 workers of the Gleason Machine Works, according to John O. Williams, employment manager.

Miss Eleanor Good, employment manager at Hickey-Freeman, men's clothing manufacturers, testified that no Negroes were included among the several hundred employees there, but charged that the Amalgamated Clothing Workers Union, which has a contract to supply labor there, never sent any Negro workers. The condition existed prior to the union contract though she admitted. James B. Whittaker, secretary-treasurer of the Amalgamated Union, testified that there were no Negro union members in Rochester and that no applicants would be admitted to membership until all jobless unionists had received jobs.

Emmett Castich, traffic manager of the Rochester Telephone Company, admitted that no Negroes were included among the 890 telephone operators but declared none had applied for jobs. He denied knowledge of a case, cited by Assemblyman Andrews, where a light complexioned colored girl had been hired by the ocmpany, but promptly dismissed when her racial identity was known.

NO NEGROES QUALIFY

Robert H. Link, director of employment for the City of Rochester, declared that no Negroes had ever qualified for any of the 2,800 civil service competitive positions, and that only 42 Negro laborers were employed in the non-competitive class. These 42 Negroes got their jobs through the local Republican political machine, he admitted freely, stating that all non-competitive jobs were considered fair patronage. The Democrats hired even fewer Negro laborers when they were in power, he said. There are no Negroes employed in the administration of relief, he stated. Several took the examination for civil service in this field last May.

The testimony of Harold Rand, director of the Rochester Housing Survey, that there is little difference in the rents paid by Negroes and whites in this city was heatedly contested by Harold W. Coles, editor of The Voice, local Negro weekly. Coles accused the Survey directors of bias and presented the commission with a copy of a previous study which exposed deplorable housing conditions among the city's 3,000 Negroes.

Coles also demanded a Federal housing project "not only for Negroes but for all who need it here," and charged that the city manager and other white leaders were "not receptive" to the creation of a Housing Authority. Only two Negroes were employed among the 300 WPA and city workers who made the Rochester Housing Survey, he stated, and one of them has now been dropped. He also disputed Rand's statement that Negroes pay $15 to $20 a month for lodging, and declared that the rentals averaged $20 to $35 a month.

FEW PLAY FACILITIES

Patrick J. Sladin, park commissioner, admitted that recreational facilities were deficient in the Negro section, but declared that no bans are placed on Negro children visiting the six large parks in white sections. A recently opened park in the Negro section had not been fully equipped, he stated, because the city has not yet acquired the deed to the property. None of the city's eight ice-skating rinks are in the Negro section either, he testified, but colored children are free to journey to them for recreation.

A large crowd, Negro and white, attended the hearings which were prepared by Gerald E. Allen executive director, and Dr. Charles L. Franklin, research director, of the

commission.

A large crowd also attended the ceremony here last May when Negroes and whites laid an annual wreath on the imposing statue of Frederick Douglass in a city square. But the tsetimony before the commission seemed to indicate that the principles for which Douglass and the early abolitionists fought can no longer be found in Rochester.

CIVIL RIGHTS MEET TO DISCUSS NEGRO

New York, Feb. 6—(CNA)—Violation of the civil rights of the Negro people will be one of the topics for discussion at a conference here on March 4th to initiate a nation-wide, year-long celebration of the 150th anniversary of the bill of rights, it was learned this week. The conference will be held at the Hotel Roosevelt under the auspices of the committee of sponsors of the Bill of Rights Sesquicentennial committee, whose members include Mrs. Franklin D. Roosevelt, Secretary of the Interior Ickes, Secretary of Agriculture Wallace, Attorney General Murphy and Walter White, executive secretary of the N. A. A. C. P

EMPLOYMENT BAN IS WIDESPREAD IN HARLEM DISTRICT

Metropolitan Life Insurance Company Official Admits Negro Business Is Not Being Solicited.

NEW YORK, Feb. 2—The majority of social and economic evils which were exposed by a State legislative committee in Harlem last year are still in existence in the world's largest Negro community, it was revealed this week by the public hearings of the New York State Commission on the condition of the colored urban population.

Hearings were held in the Seventh District Municipal court and were presided over by State Senator Jacob J. Schwartzwald, chairman and William T. Andrews, vice-chairman. More than a score of municipal, public, utility, private and insurance company officials gave testimony.

Three officials from the Metropolitan Life Insurance Company, F. M. Smith, third vice-president; William J. Harper, personnel director and Leroy A. Lincoln, president, admitted on the stand that the company has stopped soliciting Negro business in order to thwart the Stephens Act which forbids the issuance of discriminatory policies to Negroes.

Harper admitted that the company has refused to hire even one Negro among 15,000 employes.

William McFarlane, first vice-president of the New York Life Insurance Company, testifying that his corporation made no discrimination in policies issued to Negroes, refuted the statement of Smith, the Metropolitan vice-president, that high morality rates among Negroes were due to "something inherent in the race." Seventy-six Negroes are employed by the New York Company as attendants and receptionists, but no clerical helpers or agents are on the company's payroll.

Employment bans against Negroes in white collar fields of the New York World's Fair, exposed by the commission last year, were shown to be still in effect through the testimony of four witnesses from the Fair Corporation. C. L. Lee, personnel director, revealed that 60 or 70 Negroes, mostly receptionists, janitors and attendants are included among the 2,100 present employes of the Fair. One Negro draftsman, Walter Roberts, formerly of Pittsburgh and one Negro inventory clerk were the only white collar workers listed.

Miss Enid Phillips, secretary at the New York Urban League, told the commission of the Fair's refusal to employ her after she had passed an entrance examination given to stenographers. Mrs. M. C. Fickert, associate director of promotion, admitted that she had praised Miss Phillip's work in the test, but failed to explain why a Negro stenographer was not given the job.

Widespread discrimination in the New York hospital system was also revealed through several witnesses. Segregation in the wards of the St. John's hospital where more than 43 per cent of the city patients are Negroes, was admitted by L. M. Arrowsmith, superintendent, who said that "Negroes are happier when placed by themselves."

Other acts of discrimination in the hospitals and schools were revealed before the commission members including: State Senator Schwartzwald, Assemblyman Andrews, Father Michael Mulovy, Mrs. Elizabeth Ross Haynes, Mrs. Lillian Alexander, Dr. Edward Jones, Assemblyman Robert W. Justice and A. A. Austin.

Gerald E. Allen is executive director with headquarters at 150 Nassau street, New York City.

Negroes Shunted Aside, Snubbed At World's Fair After Invitation To Meet King, Queen

Saturday's broiling sun did nothing to assuage the heat which simmered in the loyal hearts of a disgruntled horde of former British subjects of the sepia variety who had donned their best bibs and tuckers, by special invitation, to press the royal palms of their Majesties, George VI and Elizabeth, at the World's Fair.

Arriving at the appointed spot at the appointed time, the prominent Negroes who had been regally summoned to greet the sovereigns, found strangely that they had all been concentrated together and shunted off to a corner that was anywhere but in the limelight. Not one dark hand pressed the royal palms, not one sepia Britisher enjoyed the honor and glory of kneeling to his King and Queen. It was just as if they had stayed at home or caught the fireworks in a good newsreel.

What could have been termed the perfect "backcap" to this situation, however, came to light with revelation that previous to the gala occasion, one of the city's most outstanding former British subjects, Justice James S. Watson, had sniffed a "rat" and returned his invitation to Sir Louis Beale, the British Commissioner General, declining with thanks the invitation to an affair from which American Negroes had been almost exclusively barred.

Well-bred, but very firm and quite direct, the letter of the distinguished jurist said in part:

"I have discovered that only one distinguished Negro American is included in the list of persons of African descent invited to meet their Majesties on June Tenth at the World's Fair. I am credibly informed that the selection of this lone native American is based upon his great assistance to the British Consulate in New York and his prominent place in the City's Emergency Relief set-up. It is not my purpose to invade your high prerogative in the selection of those persons whom you deem most desirable to be recipients of the great honor of greeting their Majesties, but I consider the exclusion of other distinguished native American Negroes in this City whose substantial contribution to America's progress and to Anglo-American unity and friendship an unfortunate oversight."

"In the thirty-four years of my residence in America, the Negro Americans and I have worked shoulder to shoulder as they have done with other West Indians in the solution of problems which are common to our racial group. . . . In the situation, it is but fair that eligible American Negroes share with their West Indian brothers the privilege

Declined Royal Invitation



Judge JAMES S. WATSON

extended on this occasion as they have in the past shared with him honors and opportunities that ordinarily would be limited to native Negroes. For these reasons I very respectfully decline your gracious command invitation and return herewith the cards of admission."

Among those who were invited to stand off in a corner and watch the King from a respectful distance were such prominent figures as the Rev. and Mrs. Elliot Durant; the Rev and Mrs. H. Ingram Thomas; Captain and Mrs. Joshua Cockburn; Dr. and Mrs. T. E. Hanson; Dr. and Mrs. Charles A. Petioni; judge and Mrs. James S. Watson; Mr. and Mrs. A. M. Wendell Malliet and the Rev. John H. Johnson. The Rev. Mr. Johnson was the lone American Negro referred to in Justice Watson's letter to the Commissioner General.

CASHIER IS TOLD TO SELL TICKETS

Cafeteria Employees' Union Force New York Skating Palace To Admit Race Men and Women.

NEW YORK, Mar. 16—Colored citizens put on roller skates for the first time in the Medora Roller Skating palace, 443 East 14th street, as a result of another victory chalked up in the fight against Negro discrimination when close to 40 members of the Cafeteria Employees Union, Local 302, American Federation of Labor, made up of both Negroes and whites, demanded that tickets be sold to each and every one of them on Tuesday night, March 7.

The girl at the window refused to honor the 50-cent piece handed her by William Davis, until the manager told her to "go ahead."

Davis, who had gone to the Mecca on Tuesday, February 21, to attend a skating party arranged by the girls' committee of the union, had been refused a ticket on that day. Mr. A. Pellogrino, manager, according to Shirley Field and Irene Short, had stated to them at that time that he could not allow Negroes to enter as it would "spoil business."

The 22 members of the union already on the floor thereupon demanded and received their money back and left in a body. At the time they informed Mr. Pellogrino that further action would follow and the step taken on March 7 was the result.

L RED CIALS

and other city hospitals to knock our limited knowledge of physiology into a "cocked-hat". We had been taught that blood was: "the fliud circulating through the arteries and veins of animal bodies, and essential to the preservation of life. This fluid is, generally red, except in the case of insects."

From a story concerning the "blood bank scandal" at Harlem Hospital in last week's issue of The New York Age, however, we learn that we were incorrectly taught our facts of life and that blood may be other than red—it may be white or it may be black. We had been taught that there was no scientific way in which to differentiate between the blood of humans except as to types, determined by the percentage of difference of the red and white corpuscles. We find that we have been laboring under a false impression all these years. We find that prejudice against Negroes in this city is so rampant that even the blood of Negro and white patients is segregated in city institutions and that white people needing blood transfusions are not given "Negro blood" even in an emergency.

Less than two years ago the establishment of the "blood bank" system in city hospitals was hailed as a forward step in medical circles, one which would make it possible to cut down the cost of blood transfusions and to make blood more readily available by having it in storage and easily obtainable from any of the city hospitals. For the first six or eight months, even patients at Harlem Hospital were beneficiaries under this new system until prejudice—ever present—entered into the proposition and certain doctors at other hospitals decided that it would be distasteful to transfuse the blood of Negroes into the systems of whites even though scientifically there is no possible known way of determining any difference in race between samples of blood taken from Negroes and whites.

Prejudice against Negroes is so great that rather than take a chance of getting "Negro blood" in exchange from the blood bank at Harlem Hospital, officials of other hospitals steadfastly declined to service Harlem Hospital with blood no matter how great the emergency and the city's hospital administration cognizant that at some time the charge of prejudice would be levelled against the other hospitals fell into line and has recently issued an order prohibiting the exchange of blood between all hospitals. Of course there are always exceptions to all rules and there probably will be in this case EXCEPT at Harlem Hospital.

It seems to us that here in this supposedly most democratic of cities the virus of prejudice is greater than in some of the southern cities where hatred of the Negro is ingrained but not so great that Negro women still suckle white infants at their breasts.

The "blood bank" prejudice is something that our city administration must take cognizance of and remove. Mayor F. H. LaGuardia, your hospital commissioner has been accused of being anti-Negro on more than one occasion and this "blood-bank" situation should be investigated by you and if your commissioner is guilty he should either be forced to change his policy or his resignation accepted.

Disease and sickness draw no color line and blood is still red whether it flows in the veins of Negroes or whites.

New York Police Department Instructed To Enforce All Provisions Of Civil Rights Law

Police officers from the 3rd, 5th, 7th, 13th, 14th, 24th, 32nd and 36th precincts have telephoned the national office of the N. A. A. C. P. that New York civil rights act prohibiting discrimination in any place of public accommodation on account of race, creed or color will be vigorously enforced during and after the New York World's Fair.

This action follows the sending on April 17 by the N. A. A. C. P. of strong letters to Police Commissioner Lewis J. Valentine and District Attorney Thomas E. Dewey urging that police officers be instructed on the specific provisions of the civil rights act and that they be ordered to enforce it at all times.

The captains of the various precincts advised the N. A. A. C. P. that Commissioner Valentine had sent to each precinct of New York City a copy of the N. A. A. C. P. letter with instructions to inform all policemen in their respective precincts about the civil rights law and with instructions to enforce it. Any violations are to be reported to the patrolman on the beat or directly to the precinct and assurances are given that all bona fide cases will be promptly attended to.

In a letter of thanks to Commissioner Valentine Monday, the N. A. A. C. P. declared that 'this prompt and forthright action is a fine portent of the kind of World of Tomorrow where all human beings are treated justly without respect to race, creed or color."

New York Police Force To Enforce Civil Rights Act

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N. Y. Legislature Approves Two Bills Broadening Civil Rights Act For Race

One Gives Civil Service Applicants Right of Redress If They Feel They Have Been Discriminated Against.

ALBANY, N. Y., May 11.—In political circles here, it was generally expected that Governor Lehman would affix his signature to two new measures providing additional safeguards for the civic rights of Negro citizens in New York State. The bills, passed unanimously last week by the Legislature, would broaden the existing Civil Rights Law and apply new penalties.

In one of them, the definition of public places of accomodation prohibited from discriminating was newly worded so as to embrace retail stores and establishments, beauty parlors, public halls and elevators of buildings occupied by two or more persons.

Another bill would prohibit discrimination in civil service because of religion or race, and would require public officials who pass over an eligible applicant, in favor of a lower eligible, to sign a sworn statement that such acts were free from bias of any sort. Under the terms of this bill, any individual who feels that he has been discriminated against in civil service appointment has the right to appeal from the verdict of the Civil Service Commission.

The two measures were authored by Senator Schwartzwald, of New York City, and were sponsored as part of the program of the joint commission appointed by the Legislature to study and report on the condition of the colored urban population.

Fire Negro for Protest Against Jim Crow Sign

Standard Brands Fair Exhibit Fails to Rehire Waiter

George L. Gillespie, Negro butler-waiter of 1522 Fulton St., Brooklyn, who was recently fired from his $18-a-week job of serving selected guests of Standard Brands Inc., at the World's Fair, will not be taken back, according to present indications, in spite of the fact that he was given to understand by Col. Snapp, in charge of the Standard Brand exhibit, that he would be.

Gillespie was discharged last week following his protest against jim crow signs on doors of the dressing rooms for the 40 Negro employes of Standard Brands Inc. at the Fair. Col. and Mrs. Snapp, southerners, are said to have resented the Negro youth's complaint about separate dressing rooms for the Negro and the white workers. There are approximately 200 whites employed on the exhibit.

SIGNS REMOVED

Col. Snapp was quoted as telling Gillespie that he (the colonel) had ordered the jim crow signs put up and that regardless of what Gillespie thought about it the signs would remain there. They were hastily removed, however, when a Daily Worker reporter and investigators for the National Association for the Advancement of Colored People inquired about them.

DISCRIMINATION- 1939

NEGRO STUDENT LEADS FIGHT ON OHIO HIGH SCHOOL PREJUDICE

Resents Insult of White Chorus

By SIMEON BOOKER, Jr.

YOUNGSTOWN, O., Jan. 26 — (ANP) — A young high school student who resented the use of 'nigger' by the school's white singers has brought pressure to bear on Principal Tear and Music Director Nischwitz of the Rayen High faculty. The student has vigorously battled the age old discriminatory policies of the oldest high school here when outstanding Negro organizations soft-pedalled the whole affair.

During the school's annual music festival, a white boys' octette, in black faced regalia, sang a rendition from "Ole Man River," changing the word "darky" to "nigger." At the end of the supposedly funny skit, one of the youths hollered "Look out! Here comes a white man!" The Negroes playing in the orchestra, those participating on the program and the ones in the audience quickly sought out the music director. Being unsuccessful, the ruffled colored people let the matter drop.

But the youth, whose name had best be kept a secret, didn't. The next day found petitions and dodgers circulating freely in the halls. Tension was great and minor clashes broke out every few minutes. A note was tacked on the office bulletin board demanding an apology from the school officials. A white boy ripped it down, and for some minutes the incident appeared to be the beginning of a serious race riot.

Principal Tries "Soft Pedal"

Immediately the principal contacted important Negroes and asked them to keep the matter down, explaining that it was of trite significance since this was the first offense. The students rallied together, anyhow. They threw off the yoke of "down home policies" and determined to end the reign of southern-mindedness among the faculty members.

At Rayen high, no Negro has ever sung in the choir. Once a boy was eligible, but the director told him that there were not enough robes. He bought a robe. Then the director, Nischwitz, distributed notes among the choir members, notifying them just when the group had rehearsals and appearances, leaving the colored boy out.

The aristocratic student body of Rayen has no grievances itself against colored students, but the continual flow of southern policies by the teachers has caused the more radical members to possess a dislike for Negro youths. Nischwitz, the musical director, reported being of German stock, has the reputation of being very unfair to colored students. Why local colored people haven't sought his dismissal is not known, but the small colored lad who has carried the fight this far might be the important factor in showing the prejudiced teacher the door.

MAY PROBE OHIO JOB 'JIM-CROW'

COLUMBUS, O., Feb. 23—A bill calling for the appointment of a commission of nine members to make a detailed investigation of the economic, health and cultural conditions of the Negro colored population of the State of Ohio, was introduced in the House of Representatives, it was learned this week.

The bill was introduced by Representative Chester K. Gillespie and Harry J. Dworkin.

OHIO

MINISTER PLACED UNDER ARREST AT OHIO FAIRGROUNDS

COLUMBUS, O., Sept. 7—(ANP)—Mississippi's notorious Jim Crow tactics and methods were transplanted to this Ohio city of presumed freedom and tolerance last week, when a City patrolman, seeped in racial prejudice and hatred, prevented a seventy-voice choir, directed by the Rev. Sandy F. Ray, from filling an engagement at the Ohio State Fairgrounds, then added insult to injury by placing the minister under arrest.

CHOIR HAD BEEN REHEARSING SIX WEEKS

The choir had been rehearsing six weeks for its appearance at the Fair, had entertainers' passes when they arrived in ten autos, at the gates. They were refused admittance, however, police declaring there was no parking space left. Illegal. During the controversy, Patrolman C. Roy Morgan cursed the Rev. Mr. Ray, who is pastor of Shiloh Baptist Church, with obstructing traffic in Eleventh avenue.

MAYOR PROMISES TO "INVESTIGATE"

Mayor Gessaman, after being told of the incident, said he would investigate the matter, so told the Rev. Mr. Ray over the telephone. The Mayor said later: "I have known Mr. Ray for a long time, and he is an upstanding citizen. If what he said is true, I can't understand why an arrest was made. I'm going to look into the entire affair thoroughly and immediately."

Fair officials deplored the incident. John T. Brown, director of agriculture, and Win H. Kinnan, Fair director, said they would try to arrange for the choir to appear on the program later in the week. The Rev. Mr. Ray, however, said that one experience like that was enough.

"We wouldn't think of asking our people to go back after all that embarrassment," he declared.

Irony of the situation was that after the last of the ten cars of singers had turned the corner, following the Rev. Mr. Ray to jail, Fair officials arrived at the entrance with gate passes for all the cars.

Parents Fight Jim Crow School in Ohio Town

WILMINGTON, Ohio — At the request of Mr. and Mrs. Theodore Lewis, the National Association for the Advancement of Colored People, through its special counsel, Thurgood Marshall, has filed a brief with the Ohio State Court of Appeals as a friend of the court, in a mandamus action filed by the Lewis family against the local school board charging discrimination in the treatment of their child in the public schools of Wilmington.

The Lewis family brought the action through their attorney, Theodore M. Berry, of Cincinnati, Ohio, October 18 to compel the local school board to admit their children to the school nearest their home.

This action followed passage of a local board of education ruling which forced all Negro children to attend a Jim-Crow elementary school instead of the schools nearest their respective homes. Because this Jim Crow school was more than a mile from their home, the Lewis family sought admission for their children in the nearest school. The children were refused admission. The Lewises refused to send them to the Jim Crow school, and were promptly arrested for violation of the juvenile laws of the state of Ohio.

TEXT IN BRIEF

The NAACP brief said in part: "True democracy in education can only be realized by guaranteeing to every United States citizen the right to have his child educated on the same basis as all other citizens. This cannot be realized by establishing separate schools. The record of separate schools in the South over a period of many years demonstrates clearly that separate schools do not lead to true democracy in education.

"Any attempt to establish separate schools in Ohio is against the public policy of the state as expressed in the repeal of section 4008 of Revised Statutes, and the enactment of the Ohio Civil Rights Law (Section 12940, General Code of Ohio.)"

Women Win Jim-Crow Restaurant Suit Under Ohio Civil Rights Law

Secretary of Cleveland Urban League Awarded $300. Doris Jackson Suit Settled Out of Court.

CLEVELAND, O., July 13.—(ANP)—In a decisio handed down last week by Judge Lewis Drucker, fines court costs and attorney's fees were levied against th G. & R. Cigar and Lunch company here for discriminatin against three well known colored women.

The court awarded Mrs. Nellie Washington, secretary Cleveland Urban league, daughter of Wm. R. Connors, $300 and Miss Pollie Hunter, $100. In the third case, a settlement of $75 was made out of court with Miss Doris Jackson. The discriminatory act which was the basis of the suit filed under Ohio's Civil Rights law, occurred when the women visited the company's lunch counter on West Third street. They ordered lunch

CAFE WHICH PUT SALT IN COFFEE MUST PAY $375

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The discriminatory act which was basis of the suit filed under Ohio's Civil Rights law, occurred when the women visited the company's lunch counter on West Third street. They ordered lunch and when served their coffee discovered an attendant had poured salt in it. They purchased a cup of the coffee, (cup and all) took it to the city chemist who verified the charge it had been salted.

In rendering his decision Judge Drucker reprimanded the company for its Jim Crow practice. Several weeks ago the Judge ruled against another downtown restaurance that had illegally refused service to a colored patron.

Ohio State Bans Marxists, Okay Anti-Negro Guild

CLEVELAND, O.—A so-called "clean-up" of the Ohio State university campus which barred a Marxist club, but permitted the University Anti-Negro Guild to continue operation, was scored here by the Reverend Grant Reynolds, president of the Cleveland branch of the N. A. A. C. P.

The report hit by Mr. Reynolds was one on an investigation of un-American activities at the university made by the trustees. Mr. Reynolds sent a copy of his letter to the trustees and to Governor John W. Bricker, of Ohio, asking that he intervene.

QUESTIONS SINCERITY

Questioning the sincerity behind an investigation report which did nothing at all about the operation of the "University Anti-Negro Guild," an organization whose un-American influence has been known and felt for several years on the campus, Reynolds called upon the trustees to demonstrate the sincerity of their actions by continuing the investigation.

His letter follows:

"You are to be commended in your efforts to stamp out subversive and un-American activity at our state university. I note in an article in the August fifteenth issue of the Cleveland Press that you have suppressed the Marxist Club consisting of some fifteen members.

"In the same news article I note that you found it unnecessary to take any action with regard to the University Anti-Negro Guild. How you can justify such action on your part, especially as you seek to suppress un-Americanism is beyond my power to comprehend.

EMPLOY DIXIE JIM-CROW AT OHIO STATE FAIRGROUNDS

COLUMBUS, Ohio, Sept. 7—(ANP)—Mississippi's notorious Jim Crow tactics and methods were transplanted to this Ohio city of presumed freedom and tolerance last week, when a city patrolman, steeped in racial prejudice and hatred, prevented a 70-voice choir, directed by Rev. Sandy F. Ray, from filling an engagement at the Ohio State Fairgrounds, then added insult to injury by placing the minister under arrest.

The choir had been rehearsing six weeks for its appearance at the Fair, had entertainers' passes when they arrived in 10 autos, at the gates. They were refused admittance, however, police declaring there was no parking space left inside. During the controversy, Patrolman C. Roy Morgan charged Rev. Ray who is pastor of Shiloh Baptist church, with obstructing traffic in 11th avenue. The pastor insisted he was neither obstructing traffic nor was he parked in 11th avenue. The pastor then went inside the Fairgrounds to ask passes for the cars. Returning, Patrolman Morgan refused to give Rev. Ray a traffic ticket and forced him to drive to the police station. He was later released after posting bond and the case was set for trial on Thursday in Traffic court. Mrs. Ray, the pastor's wife, said the patrolman shouted at her husband while he was trying to get the singers into the Fair grounds: "You're going right down to the police station with me now."

Mayor Gessaman, after being told of the incident, said he would investigate the matter, so said Rev. Ray over the telephone. The mayor said later: "I have known Mr. Ray for a long time and he is an upstanding citizen. If what he said is true, I can't understand why an arrest was made. I'm going to look into the entire affair thoroughly and immediately."

Fair officials deplored the incident. John T. Brown, director of agriculture and Wm. H. Kimmin, fair director, said they would try to arrange for the choir to appear on the proram later in the week. Rev. Ray, however, said that one experience like that was enough. "We wouldn't think of asking our people to go back after all that embarrassment," he declared.

Irony of the situation was that after the last of the 10 cars of singers had turned the corner, following Rev. Ray to jail, Fair officials arrived at the entrance with gate passes for all the cars.

Jailed For Opposing School Segregation, Suit Filed By Parents

WILMINGTON, Ohio, Nov. 9.—Because he refused to send his two children, ages nine and six years, nearly two miles through city traffic and across two railroad lines, to school set aside by the Board of Education for Negro children only, Theodore Lewis was arrested and placed in jail here last week. Lewis was charged with contributing to the delinquency of his children by refusing to send them to the school designated for them. Lewis had presented his children for admission to the school nearest his residence several times, and has been refused by the principal and superintendent of schools, H. W. Hodson.

Judge Hugh J. Wright, of the Juvenile Court, committed Lewis to jail for three days when he refused to give bond and agree to send his children to the segregated school. Judge Wright, by a statement from the bench, attempted to give exclusive control of the children to the mother, Mrs. Mary Elizabeth Lewis, with an order to "put those children in school." When Mrs. Lewis was refused admission of her children at the school nearest their home, she reported to the court that she would stand with her husband and would not send them to the segregated school.

CINCINNATI ATTORNEYS CALLED

While Lewis was still in jail, Attorney Theodore M. Berry, assistant prosecutor of Hamilton County, and Atty. William A. McClain, both of Cincinnati, were engaged. Release of Lewis was obtained and a mandamus suit was filed immediately by Mr. and Mrs. Lewis to compel the Board of Education to admit their children in school regardless of their race.

REPUBLICAN STRONGHOLD

Public interest has been aroused by the suit. The Court of Appeals will hold a special session here on November 24 for trial of the merits of the case. The Ohio State Conference of N. A. A. C. P. Branches has been requested to support the case as a friend of the court.

Wilmington, the county seat of Clinton County, is a stronghold of the Republican party in Ohio. In the last primary, the Democratic party was too weak to select an opposition ticket for the city election.

This city was founded by Quakers, and was once a principal station in the Underground Railroad for fugitive slaves seeking freedom. Today, Negro residents, the majority being natives of several generations, are discriminated against in every civil right and privilege.

Lewis is a paint contractor, and lives at 522 Groves street with his family. Both he and his wife are natives of Wilmington.

Father of 2 Jailed In Ohio

Refuses To Send Young Children To Segregated School

WILMINGTON, Ohio—

PARENTS FIGHT JIM CROW IN OHIO SCHOOLS

WILMINGTON, Ohio, Dec. 8—At the request of Mr. and Mrs. Theodore Lewis, the National Association for the Advancement of Colored People, through its special counsel, Thurgood Marshall, has filed a brief with the Ohio state court of appeals as a friend of the court, in a mandamus action filed by the Lewis family against the local school board charging discrimination in the treatment of their child in the public schools of Wilmington.

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Because this jim-crow school was more than a mile from the home the Lewis family sought admission for their children in the nearest school.

The children were refused admission. The Lewises refused to send them to the jim-crow school, and were promptly arrested for violation of the juvenile laws of the state of Ohio.

The N.A.A.C.P. is investigating a similar case in Moline. Ill.

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ier Correspondent ds Editor Of Tulsa aily 'Evil', OK'd By Poll

ams Also Discovers That Oklahoma Has a Law Which Would Fine e Student For Attending Any School Where Colored Persons Are Received As Pupils.

(By JOHN R. WILLIAMS)
Staff Correspondent

A, OKLA., Dec. 22—The whites of this state are evidencing grave concern be recent ruling of the Supreme Court in the case of Lloyd Gaines who hac ollment in the University of Missouri School of Law and had been refused ad ere on the ground that Missouri provides equal opportunities for Negroes by paying their tuition at institutions outside of the state. The fact that the United States Supreme Court's ruling in favor of Gaines runs counter to prevailing conditions in Oklahoma and other southern states, naturally has caused southerners to ask the question: "Will Negroes endeavor to avail themselves of their rights as affirmed by the Supreme Court or will they be willing to compromise the issue?"

A survey made among the editors and editorial writers of Oklahoma daily newspapers reveals that their interpretation of the decision is that the requirements of this decision could be met by the provision of equal educational facilities at separate state institutions.

RESENTMENT AMONG WHITE STUDENTS FEARED

Here and there were found individuals among this same group who reluctantly are agreed that the Supreme Courts' decision has forced upon this state and the south generally, the embarrassment of letting down the bars to Negroes in all state educational institutions, but they contend: "Should Negroes elect to enjoy such a privilege, the same would forthwith bring about renewed resentment on the part of white students and white citizens generally that would react to the disadvantage of the Negro."

One white editor of a Tulsa daily blames the Negro press for forcing upon the white south legislation of this kind that in his opinion "is dangerous to the best interests of both races here in Oklahoma." He frankly states that The Pittsburgh Courier is the best edited Negro newspaper in America(but he labels it "yellow" comparing it with The Denver Post in this respect. He claims that the unhappiest mortal in America is the educated American Negro, who, in his opinion, has been taught to appreciate the better things of life only to run into an impregnable brick wall when he seeks to enjoy those things for which his college training has taught him to appreciate.

What the Oklahoma Negro needs according to this journalist, is to appreciate more the value of his suffrage. He declares further that the Negroes of Oklahoma are making the mistake of allowing professional white politicians to buy their vote which should be kept sacred. He asks the question: "Why is it that the average Negro newspaper devotes so much space and consideration to communistic propaganda? Why do Negro newspapers seem to delight in telling their readers that Paul Robeson is accepted at the opera in Moscow?" Continuing his bombast, he states: "The race problem is something that minority groups carry with them wherever they occur in conspicuous numbers."

"We accept the Chinaman here in Oklahoma because his numbers are few but if he were here in large numbers as he is on the West Coast, our resentment of him would be the same that it is in California. So it is with the race problem here in the South."

SAYS NEGRO WANTS TO GET PLACES TOO FAST

"The Negro wants to get places too fast. He must go through the same veil of tears that my ancestors went through for thousands of years before they got anywhere. It takes time, and time alone to solve great social problems. However, the Negro has a point of view that cannot be denied. I sometimes ask myself what I should do and how I would feel if I were to wake up and find that my skin had turned black over night and I were a Negro. I confess quite frankly, I do not know what I should do or how I would feel. I would be happier perhaps, as an uneducated Negro, than I would were I to be a Negro with a college training."

The writer interrupted at this point to express the opinion that the white editor might choose the path of self-destruction were he to wake up one morning and find himself a Negro after having enjoyed the absence of proscriptions for so long a time.

When shown the results of an informal pole made at the University of Oklahoma with regard to the Supreme Courts' decision in the Lloyd Gaines case, this editor said: "Informal poles do not mean very much. I should be very interested in a pole conducted by the daily newspaper or the faculty at the University of Oklahoma."

UNIV. OF OKLAHOMA POLL IS SURPRISE TO MANY

The poll to which the editor had reference was one taken in a class in journalism at the University of Oklahoma which revealed that the majority of students of that particular class would be willing to attend classes with Negroes. Only a small minority withheld approval and those in this category admitted that they are prejudiced. One faculty member at the same institution who would not permit his name to be used, said that Oklahoma is now in much the same position as Missouri and that, if the matter is pressed, Negroes could gain admittance here.

He pointed out that Langston University for Oklahoma Negroes has no law school and issues no law degree.

Another faculty member said he believed that if Negroes are permitted to enter the law school, they also would be allowed to enroll in medicine, pharmacy, professional engineering, geology, journalism, art, library science and business administration, for none of which the Langston school offers degrees now.

A student legislator, Wilson Wallace, turned to his law training and pointed out an interesting angle to this racial question.

Section 7039 of the 1931 Statutes provides "it shall be unlawful for any white person to attend any school, college or institution where colored persons are received as pupils. Anyone so offending shall be fined not less than $5 nor more than $20 for each offense," he explained.

"If a Negro were permitted to enter the university, that might make 7,000 white students eligible for fines. There is no section in the statutes where Negroes face prosecution for enrolling in a white school."

In Oklahoma City Even The Zoo Is Jim-Crowed

OKLAHOMA CITY, Okla., July 7—For the first time in the history of the city, members of the Race were given a day at Lincoln Park. Action in setting this day aside was taken by the park board, following long standing complaints that there was discrimination in thhe past Race groups have been allowed to visit the zoo by first making an appointment. Members of the Race as an individual, however, were barred from the zoo Thursday having been set aside, 126 took advantage of the opportunity from morning until night. Although Thursdays have been re-

served for the Race at the zoo, not a single white person was turned away. An estimation of about 500 persons visited the zoo during the day.

The group on whose petition the park board acted did not ask for a special day, but the right to visit the zoo at any time, just as other citizens.

ier Correspondent ds Editor Of Tulsa aily 'Evil', OK'd By Poll

ams Also Discovers That Oklahoma Has a Law Which Would Fine e Student For Attending Any School Where Colored Persons Are Received As Pupils.

(By JOHN R. WILLIAMS)
Staff Correspondent

A, OKLA., Dec. 22—The whites of this state are evidencing grave concern be recent ruling of the Supreme Court in the case of Lloyd Gaines who hac ullment in the University of Missouri School of Law and had been refused ad ere on the ground that Missouri provides equal opportunities for Negroes by paying their tuition at institutions outside of the state. The fact that the United States Supreme Court's ruling in favor of Gaines runs counter to prevailing conditions in Oklahoma and other southern states, naturally has caused southerners to ask the question: "Will Negroes endeavor to avail themselves of their rights as affirmed by the Supreme Court or will they be willing to compromise the issue?"

A survey made among the editors and editorial writers of Oklahoma daily newspapers reveals that their interpretation of the decision is that the requirements of this decision could be met by the provision of equal educational facilities and separate state institutions.

RESENTMENT AMONG WHITE STUDENTS FEARED

Here and there were found individuals among this same group who reluctantly are agreed that the Supreme Courts' decision has forced upon this state and the south generally, the embarrassment of letting down the bars to Negroes in all state educational institutions, but they contend: "Should Negroes elect to enjoy such a privilege, the same would forthwith bring about renewed resentment on the part of white students and white citizens generally that would react to the disadvantage of the Negro."

One white editor of a Tulsa daily blames the Negro press for forcing upon the white south legislation of this kind that in his opinion "is dangerous to the best interests of both races here in Oklahoma." He frankly states that The Pittsburgh Courier is the best edited Negro newspaper in America(but he labels it "yellow" comparing it with The Denver Post in this respect. He claims that the unhappiest mortal in America is the educated American Negro, who, in his opinion, has been taught to appreciate the better things of life only to run into an impregnable brick wall when he seeks to enjoy those things for which his college training has taught him to appreciate.

What the Oklahoma Negro needs according to this journalist, is to appreciate more the value of his suffrage. He declares further that the Negroes of Oklahoma are making the mistake of allowing professional white politicians to buy their vote which should be kept sacred. He asks the question: "Why is it that the average Negro newspaper devotes so much space and consideration to communistic propaganda? Why do Negro newspapers seem to delight in telling their readers that Paul Robeson is accepted at the opera in Moscow?" Continuing his bombast, he states: "The race problem is something that minority groups carry with them wherever they occur in conspicuous numbers."

"We accept the Chinaman here in Oklahoma because his numbers are few but if he were here in large numbers as he is on the West Coast, our resentment of him would be the same that it is in California. So it is with the race problem here in the South."

SAYS NEGRO WANTS TO GET PLACES TOO FAST

"The Negro wants to get places too fast. He must go through the same veil of tears that my ancestors went through for thousands of years before they got anywhere. It takes time, and time alone to solve great social problems. However, the Negro has a point of view that cannot be denied. I sometimes ask myself what I should do and how I would feel if I were to wake up and find that my skin had turned black over night and I were a Negro. I confess quite frankly, I do not know what I should do or how I would feel. I would be happier perhaps, as an uneducated Negro, than I would were I to be a Negro with a college training."

The writer interrupted at this point to express the opinion that the white editor might choose the path of self-destruction were he to wake up one morning and find himself a Negro after having enjoyed the absence of proscriptions for so long a time.

When shown the results of an informal pole made at the University of Oklahoma with regard to the Supreme Courts' decision in the Lloyd Gaines case, this editor said: "Informal poles do not mean very much. I should be very interested in a pole conducted by the daily newspaper or the faculty at the University of Oklahoma."

UNIV. OF OKLAHOMA POLL IS SURPRISE TO MANY

The poll to which the editor had reference was one taken in a class in journalism at the University of Oklahoma which revea.ed that the majority of students of that particular class would be willing to attend classes with Negroes. Only a small minority withheld approval and those in this category admitted that they are prejudiced. One faculty member at the same institution who would not permit his name to be used, said that Oklahoma is now in much the same position as Missouri and that, if the matter is pressed, Negroes could gain admittance here.

He pointed out that Langston University for Oklahoma Negroes has no law school and issues no law degree.

Another faculty member said he believed that if Negroes are permitted to enter the law school, they also would be allowed to enroll in medicine, pharmacy, professional engineering, geology, journalism, art, library science and business administration, for none of which the Langston school offers degrees now.

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DISCRIMINATION - 1939 OREGON

CROWDED GALLERIES CHEER AS SENATORS PASS MEASURE, 16-12

SALEM, Ore., Mar. 2—The Senate, by a margin of 16 to 12, with two members absent, last Wednesday approved the Civil Rights Bill guaranteeing to all persons the full privileges and rights accorded by the Constitution.

The galleries were crowded during the discussion and no Senator opposed the measure on the floor. The vote was cheered.

"This is probably the most important bill now before this legislature," Senator Harry Kenin, Multnomah county, declared. "Other States, including California and Washington, already have this legislation. The people of the entire United States are watching to see what the Oregon legislature does with this bill."

MANY ORGANIZATIONS APPROVE MEASURE

Senator Kenin said the measure had received the approval of the school teachers of Oregon, the Young Women's Christian Association, a large number of churches and other organizations and individuals.

At the outset of his argument Senator Kenin quoted Governor Charles A. Sprague as saying he knew no prejudice and later read editorials from Sprague's newspaper dealing with the civil rights' measure defeated at the 1937 legislative session. In these editorials Governor Sprague deplored defeat of the bill.

"The only persons opposing this bill are a few hotel and restaurant owners," Sen. Kenin continued.

He cited a number of instances where Negroes had been refused hotel accommodations and the purchase of meals in restaurants.

The bill also received the support of Senator Dorothy McCullough Lee of Multnomah county.

DIVISION BECAUSE OF COLOR ATTACKED

"There is no place in the United States for division because of color," Senator Lee said. "I cannot understand race prejudice. We expect Negroes to pay taxes, and I cannot see why they should not be guaranteed the rights accorded them by the Constitution. The bill is right in principle and should be passed."

Senator George T. Eayrs, also of Multnomah county, said he favored the measure because of its humanitarian features.

"There is no reason why the Negro should be denied his civil rights," Senator Eayrs declared.

DOGS BETTER TREATED THAN NEGRO PATIENTS

Senator Thomas R. Mahoney said there were hospitals for dogs and cats, but that many hospitals would not accept Negro patients.

"We are not asking for social equality," Senator Mahoney averred, "but merely to eliminate a wrongful discrimination that now exists."

Voting for the bill were: Senators Best, Chaney, Eayrs, Franciscovich, Ellis, Kenin, Lee, Ross, Mahoney, Steiwer, Strayer, Walker, Wallace, Zorcher, Belton and Duncan.

Opposing the bill were: Senators Balentine, Booth, Burke, Childs, Clark, William Dickson, Dorn, McKay, Jones, Stadelman, Wheeler and Wipperman. Absent were: Ashby Dickson and Isaac Staples.

High School Approves Jim Crow

THE William Penn High School for Girls, 15th and Mt. Vernon streets, does not permit colored graduates to become members of the Alumnae Association of the institution.

The blank membership card of the Alumnae Association reads: **"THOSE ENTITLED TO MEMBERSHIP IN THE ALUMNAE ASSOCIATION OF THE WILLIAM PENN HIGH SCHOOL SHALL BE LIMITED TO WOMEN OF THE WHITE RACE."**

The new Superintendent of Public Schools in this city is a believer in "educating for Democracy." He believes that schools should make the pattern for democratic living on the part of their graduates. There is much work for him to do in translating his beliefs into reality in Philadelphia.

We are glad to note that the racial discrimination encouraged by the authorities of the William Penn High School does not have the support of all the teachers or of all of the institution's alumnae.

"The Philadelphia Teacher", a magazine published monthly by the American Federation of Teachers, Local 192, in its Easter issue, just off the press, takes editorial notice of the Alumnae Association's policy, and condemns the alumnae responsible in unequivocal terms. The editorial says, **inter alia:**

"It is difficult to believe that such an attitude can exist as a product of our democratic public schools system. It is perhaps a sad commentary upon the administration of a school to permit the use of the school's name to further such bigotry and intolerance. Jim Crowism has no place in public education and certainly not in any organization growing out of our public schools. The effect of such a by-law is that a large percentage of graduates are not permitted to call themselves alumnae and are disqualified from participation in activities which might be of great interest to them and of benefit to the school. Certainly the situation requires some further investigation, not only by the graduates who are deprived of membership in the Alumnae Association, but by all democratic elements in the Association who may unknowingly be condoning the fostering of racial intolerance. The wave of indignation aroused by the recent discrimination against Marian Anderson and the vigorous protests on the part of innumerable prominent organizations and individuals show clearly that America will resent and will not countenance bigotry. A similar stand must be taken with regard to the Wm. Penn Alumnae Association. No liberal person can afford to gloss over any incident of discrimination."

Immediate steps should be taken to combat this pandering to racial prejudice on the part of a tax-supported institution.

CATER TO WHITE BUYERS, OMIT "JUST OUT" SIGNS COLORED MERCHANTS TOLD

Editor's Note: This is the tenth of a series of interviews about men and things being conducted for the TRIBUNE by Melvin J. Chisum, a well known and widely traveled writer. The purpose of the TRIBUNE in presenting these interviews is to inspire new hope in the minds and in the hearts of the people by exposing to their view the opportunities which are here. We present this week, the views of a North Philadelphia merchant who operates a grocery and food market at the corner of Judson and Berks, between 23rd and 24th streets. Ladies and Gentlemen, Mr. Arthur Baines speaking:

"Mr. Reporter, you ask me to tell you what motivated my wife and me to enter this business. My answer is, a number of things enter into the equation and I will name some of them and leave others unmentioned. Foremost of our reasons is this one: "Mrs. Baines and I for years and years worked, economized, skimped and saved trying to lay up something for the rainy day. The savings bank was our center of security. We had always heard the white man's bank was a safe place to keep one's holdings and we believed the story until along came Roosevelt in 1933 and with one swoop closed all of them.

"Comparatively few of those banking institutions ever reopened. New institutions were opened up in the old stand and sometimes almost with the identical name, but the institutions with which you and I did business and to whom you and I entrusted our money, those guys in many cases went to jail and very nearly all of them left the banking business because they had been found to be unsound.

"The point I am striving to get at is, the two banking institutions in which my wife and I had our accumulated savings never opened again after the 1933 bank closings. When one has struggled and saved over a long period of years and suddenly finds it all swept into thin air, but from no fault of one's self, if one still possesses ambition, one should think up a new plan and that is exactly what Mrs. Baines and I did.

"I still had a job when this tragedy of the Depression came upon us. We saved four weeks of my pay, hired a store, put in a few grocery items and called ourselves ready for business. As time went on, people came in larger numbers, both white and colored people. From the very beginning we strove to win the trade of the whole public, not just the colored public, and it was not long before we had quite as many white persons coming in as there were colored. And why not? The colored people deal in all white stores and it is our idea, well proven here in our store, if one keeps fresh merchandise, a clean store and deals justly the whole people of the neighborhood will come in and buy from you. So instead of putting my money into the savings bank for some cheap rogue to run away with, just as fast as we get a few dollars we put it back into merchandise and strive to keep on hand what the people of the community want.

"The way to success in any business is to keep in stock the things which such an establishment as the one we are operating should carry and avoid carrying so much of "Just Out". That 'just out' answer drives away trade as does scraping the bottom of the bin. People may not mention it, but they dislike hearing a merchant scraping up the bottom of the bin trying to fill an order. That does almost as much harm as 'just out'. We seek to avoid those two mistakes, and while we make errors I am sure, we are constantly watching ourselves.

"We heard Bishop Sims say in his broadcast a few Sundays ago that man is the only member of the animal kingdom who can analyze himself. The Bishop is right and we obey that injunction. We strive to know ourselves. Thus far, after a few short years, we have carved out a little success. At least we have the satisfaction that we are not making the squandering mess with our money which the bankers did. And you might say to some of those bright young men who are just coming out of school that a small shoe store can be made to pay, a small notions store, which would carry socks, stockings, suspenders, needles and thread and the things which the kiddies wear could be made a success from the very start."

[redacted] - 1939.
DISCRIMINATION PENNSYLVANIA

Race Instructor Fights Discharge

MEDIA, Pa.—(ANP)— Hearing will be held Sept. 18 in the Delaware county court on a writ of mandamus brought by Mrs. Nona R. Bragg, to direct the Swartmore school board to reinstate her as a teacher in the borough school system.

Mrs. Bragg has been a teacher in Swarthmore since 1933, albeit that she was employed to teach a few classes of Negro children only. The plan, then, was to instruct young Negroes separately because they did not "fit well" with younger whites. Now it has been decided that they can never adjust themselves unless both Negro and white children study together from the beginning.

It was, therefore, decided to distribute the Negro children throughout the white classes. With this done, it was next agreed by the school board that, since there were no all-Negro classes, there was no place for a Negro teacher, because "we can't have a Negro teaching white children."

But the state tenure act states where wherever a teacher is to be dismissed because there is no need for her service the teacher last appointed must be dismissed first.

Swarthmore is a residential Quaker stronghold and site of the well known Swarthmore college. Mrs. Bragg is wife of Dr. William A. Bragg, Philadelphia dentist, and both are active workers in the Philadelphia NAACP.

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Courier
August 26, 1939
Pittsburgh,Pa.

White Dress Shop Owner Vents Fury On Colored Woman Who Didn't Want To Buy Dress

Receives Serious Wound On Right Leg, Sewed Up With Four Stitches At Women's Hospital

Tribune 12-23-39

FORCED TO USE CRUTCHES

Claims Merchant Threatened To Punch Her In Mouth; All Charges Denied By White Man

By JOHN A. SAUNDERS

"If you were a man, I'd punch you in the mouth."

A white merchant operating a dress shop in the thickly populated Negro area of 21st street and Ridge avenue, hurled that threat at an attractive young colored woman, last Saturday afternoon, and minutes later allegedly pushed her through a plate glass door, inflicting serious injury, most critical of which was a deep, ugly gash in her right leg.

With blood flowing from the wound profusely, the young woman, Miss Naomi St. John, 2121 Jefferson street, was assisted by passersby until the arrival of a patrol wagon. Before taking Miss St. John to the Woman's Homeopathic Hospital, a policeman instructed her to have a warrant sworn out for the arrest of the merchant, Julius Shumsky, 2220 Ridge avenue.

Physicians at the hospital used four stitches to sew up the wound in her leg.

USING CRUTCHES

Miss St. John retained Raymond Pace Alexander, attorney, 19th and Chestnut streets, to represent her. Alexander had a warrant issued through Magistrate Joseph H. Rainey charging Shumsky with assault and battery and aggravated assault and battery. It was served Monday night.

Forced to use crutches as a result of her injuries, Miss St. John limped into Magistrate Rainey's court, assisted by her mother and two other women yesterday (Wednesday) morning. Her right leg was swathed in bandages.

She testified that she was accompanying Miss Sarah Scott, 2115 Jefferson street, who sought to purchase a dress at Shumsky's store, when the altercation occurred. Shumsky, she said, became angry when she didn't buy a dress for herself, telling her that if she was a man he'd punch her.

"After that," Miss St. John testified, "he pushed me out the door, breaking the glass." The glass, she said, "spattered all over me."

Her statement was corroborated by Miss Scott, who said she witnessed the entire altercation.

STATEMENT CONFIRMED

Another witness, Mrs. Sarah Taylor, a practical nurse, of 2714 Ridge avenue, said that she saw Shumsky push Miss St. John out the door.

"It slammed on her foot and the glass broke, spattering all over her," Mrs. Taylor stated.

Shumsky denied all charges, declaring that his daughter shut the door and that he was behind the counter, about 15 feet away.

He testified also that Miss St. John used abusive language, and spat in his face.

Counsel for Shumsky sought to have the charge of aggravated assault and battery dropped but Alexander objected. Magistrate Rainey held Shumsky in $400 bail for court

Hits Jewish Theatre Man For Jim Crow

Magistrate Rainey Cites Persecution Of Jews In Holding Man

SAYS SUITS PENDING

Charge Man Released After Arrest Without "Copy Of Charge"

"How any man of Jewish extraction can discriminate against any people in these United States in the light of the persecution the Jews are suffering in Germany is beyond me."

With these words Magistrate Joseph H. Rainey held Samuel Seidman, manager of the Susquehanna Theatre, 17th street and Susquehanna avenue, under $1500 bail for court, on charges of violation of the Pennsylvania Equal Rights Law.

Seidman, who at first gave his name as Lou Jones, is alleged to have refused the sale of tickets to Mrs. Lillian Laws Williams and her sister, Miss Elvira Laws, 731 N. Uber street, on Monday night, stating that "this house does not cater to your people."

At the hearing on Monday morning before Magistrate Rainey Mrs. Williams and Miss Laws testified that they had gone to the theatre on Monday night of last week and Miss Laws stood in line to purchase a ticket. It was then she was informed by the cashier that "this house does not cater to your people."

Stepping up to the window when she sensed the trouble, Mrs. Williams inquired as to the difficulty. Her sister explained and Mrs. Williams took the dollar and pushed it in the cashier's window and asked: "Will you please give my sister two tickets?"

Ignores Request

The cashier replied that she would have to see the manager, and proceeded to sell tickets to those next in line.

Approaching the man at the door taking the tickets, the sisters asked for the manager. The man asserted he was the manager. Asked his name, he replied that it was Lou Jones. He further bore out the cashier's statement by saying "to be perfectly frank with you, we do not cater to your people."

Asked if he knew the law governing such a stand Seidman replied, "Yes, I do. I have several suits pending against me now."

At the conclusion of the testimony of the two women, Rainey said, "If this be true these people have established a prima facie case."

And with this he bitterly denounced the man for his "dastardly attempts at discriminatory practices."

The man was immediately transferred to the Seventh District police station, 4th street and Fairmount avenue.

It had also been brought out at the hearing that Seidman cited as his authority for his policy of segregation Captain Sweeny of the 20th and Berks streets police station, who later, in the presence of Dr. John K. Rice, head of the North Philadelphia Civic League, who was called in on the case by Mrs. Williams, denied any knowledge of the practice on the part of the theatre.

Seidman was arrested on Saturday on a warrant sworn to by Mrs. Williams, and taken to the 20th and Berks street police station, where it was asserted by Rainey that he was subsequently released without a signed copy of the charge.

Prior to the opening of the hearing, Seidman, through his attorney, offered to alter the policy of the theatre.

"I am not interested in any compromise in this case," exploded Magistrate Rainey, when asked if he knew of the proposed compromise on the part of the theatre manager, and stated emphatically that he knew nothing of any such offer on the man's part.

Mrs. Williams and Miss Laws were represented by Theodore Spaulding.

Resenting Jokes

DETERMINED RESENTMENT was offered by a group of Norristown, Pennsylvania Negro leaders attending a Boy Scouts dinner as a national Boy Scouts official told a "Bastus and mule" joke. Prominent ministers and laymen attending the meeting walked from the City Hall assembly thus manifesting their distaste at the ridicule offered the racial group. As speakers have used the offensive terms "darky," or "Sambo," in referring to the race, storms of protests have arisen from every quarter of the nation.

Yet, there are those irresponsible ignoramuses, even within the very ranks of the Negro racial group; the type of one operating right here in Knoxville, who refers to members of the race as the "missing link," and the surprising phase of the situation is, he can get by with it without concerted protest on the part of the local citizenship.

Truly there is time for consideration of the Biblical admoniiton—"Cast the beam from thine own eye, etc."

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Texas Appropriates $50,000 For Scholarships; Fears Gaines Decision

By FRITZ CANSLER

DALLAS, Texas, June 30—More than two years before the United States Supreme Court handed down the famous "Gaines Decision," the members of the Race of Texas started a campaign for the purpose of providing out-of-state scholarships in professional and graduate work for students of Texas.

In spite of the fact that the decision stated such a procedure does not constitute "equal and exact opportunities," the committee of white and Race citizens have continued their effort to secure a sufficient appropriation to provide these scholarships.

Last week the legislature of Texas appropriated the sum of $50,000 for the next biennium for graduate and professional study for Race pupils. In addition to this an initial gift to Prairie View of $20,000 was made for graduate work.

Plans of the committee of which Dr. Thomas W. Currie, president of the Austin, Texas, Presbyterian seminary is chairman, call for assistance in administering the fund as created and immediately set to conform to the Supreme Court decision, still it is unfair to the hundreds of Texas students and teachers to force the continuation of the additional cost of graduate and professional study. Our task now is to work out a plan so that we can help Prairie View college and President Bank's fine corps of teachers to add a real graduate course to the institution and prepare the way for such professional courses in medicine, law, dentistry, pharmacy, engineering and other much needed lines. We are happy that this start has been made and we express our thanks and appreciation for the large number of both white and colored Texas citizens who aided us in the effort."

work to get the best opinion on the state on future plans for a graduate and professional school. Mrs. Jessie Deniel Ames of the Southern Interracial Commission is aiding in the work and has done valiant work with the Texas legislature in sponsoring the bill at the capitol.

Citizens Interested

The bill as it now appears on the statute books is largely due to the interest of Dallas' well-known citizen and civic worker, Dr. R. T. Hamilton, who has given generously of his time and money in preparing the arguments, precedents and plans for the presenting of the matter to the legislators which resulted in the favorable action. In commenting on the successful conclusion of his long and earnest effort, Dr. Hamilton had this to say:

To Help Prairie View

"While we realize that this is just a temporary expedient and does not work of the committee and the need of starting on the establishment of a school in the state that will comply with the court decision at the very earliest time.

Plans of the committee of which Dr. Thomas W. Curtis, president of the Austin Presbyterian Theological Seminary, is chairman, call for assistance in administering the fund now available, and following this, immediately set to work to get the best opinion of the state on future plans for graduate and professional work through the establishment of schools. Mrs. Jessie Daniel Ames of the Southern Interracial Comission, Atlanta, spent considerable time in the state aiding in the work with the Texas legislators. She sponsored the bill at the state capitol.

The bill as it now appears on the statute books is largely due to the interest of Dallas' well-known citizen, Dr. R. T. Hamilton, who has given generously of his time and money in preparing printed matter containing arguments, precedents and plans for the presentation of the matter to the legislature which resulted in the favorable action.

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In spite of the fact that the decision stated this did not constitute "Equal and exact opportunities," the committee of white and colored citizens continued its effort to secure a sufficient appropriation to provide these scholarships in view occasioned before the state can of the fact that delay must be provide for adequate graduate and professional study.

The result of the agitation is that for the first time last week the legislature of Texas appropriated $50,000 for the next biennium for graduate and professional study for Negroes.

In addition to this, an initial gift of $20,000 was made to Prarie View State college for the beginning of graduate work, this as a by-product of the work of the committee and the need for stating on the establishment of a school in the state that will comply with the court decision at the very earliest time.

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Tex. Leg. Provides Out-State Study

By FRITZ CANSLER

DALLAS, Texas.—(ANP)—More than two years before the United States Supreme Court handed down the famous Gaines decision, the Negroes of Texas started a campaign of education and propaganda for the purpose of providing out-of-the-state scholarships in professional and graduate work for students residents of Texas. In spite of the fact that the decision stated this did not constitute "Equal and exact opportunities," the committee of white and colored citizens continued its effort to secure a sufficient appropriation to provide these scholarships in view of the fact that delay must be occasioned before the state can provide for adequate graduate and professional study. The result of the agitation is that for the first time last week the legislature of Texas appropriated $50,000 for the next biennium for graduate and professional study for Negroes. In addition to this, an initial gift of $20,000 was made to Prairie View State college for the beginning of graduate work, this as a by-product of the

Texas Grants Study Funds Out-of-State

$500,000 Set Aside For Scholarships By Legislature

DALLAS—(ANP)—More than two years before the United States Supreme Court handed down the famous Gaines decision, colored Texans started a campaign of education and propaganda for the purpose of providing out-of the-state scholarships in professional

DISCRIMINATION- 1939

Charleston, S. C. News & Courier
February 21, 1939

The Stupid Gesture

The application of a negro to enter the law school of the University of South Carolina, which one suspects was instigated by Northern "friends" of the Southern negroes, was perhaps the stupidest gesture that could have been made so far as the interest of the negroes is considered.

It has caused the support of a white law school by the state to be sharply questioned. It has reminded the legislature that probably it could move the law school from Columbia to Clemson, an institution under ultimate control of privately appointed trustees, and avoid the embarrassment caused by the application.

It has suggested that not only the law school but other professional schools now supported by state funds could be abolished and that the need for them would be promptly supplied in private and church colleges.

Nothing more damaging to the well-conducted school for negroes in Orangeburg could happen than the setting up of a law school in it. It would be followed by restriction of the too meager appropriations for other and useful departments of that institution.

The application has stirred animosities. Two facts ought to be plain to the Northern friends of the negroes. One is that in South Carolina will be no toleration of colleges attended by both races.

The other is that to avoid it the whole system of state-supported colleges would be abandoned if necessary, the white people turning to private and church colleges for the training of their sons and daughters.

The hour may strike that state support of higher education may well be called into question. In the earlier and primitive days, when private and church colleges could not be had, reason for state colleges was far more convincing than it is now.

Would Use Hitler Methods to Squelch Negro in S. C.

Charleston, S. C. Feb. 28.—The use of Hitler methods to "squelch" the Negro and put him "back in his place" was advocated here in a letter to the Charleston News and Courier. The letter was signed "Rustic" and began with the sentence.

The writer declares that South Carolina must be run by white men and suggests several methods of keeping Negroes from studying professional courses such as law. He says a Negro student ought to be admitted to the University of South Carolina and the men students there be allowed to "change his mind." He further suggests that if the legislature establishes a separate Negro law school it ought to cut the appropriation for the regular Negro college at Orangeburg $25 for every dollar required for the law school. The other suggestion is that an oral examination be required for admission to the law school by a board of white men and he adds "no Negro could pass."

Asks Terror for S.C. Students

CHARLESTON, S.C. — The use of Hitler methods to "squelch" the colored man and put him "back in his place" was advocated here in a letter to the Charleston News and Courier.

The letter was signed "Rustic" and declares that "A lot of us out here in the back woods don't want a single dime of our tax money spent on educating colored lawyers."

The writer declares that the colored man's place is in the cotton patch, and confesses pride in being prejudiced and narrow.

Suggests Oppression

"Rustic" suggests that white students at the University of South Carolina can "change the mind" of any colored person who registers or that the college at Orangeburg can be deprived of $25 for every dollar used for a separate law school.

Oral examinations before a white board also would block admission to professional schools, he says.

Spartanburg S. C. Herald
June 21, 1939

No Law Will Be Passed At This Session to Bar Negroes From Universitv

Columbia, June 20 (AP).—A legislative move to forestall any possible court action over the admission of negroes to the University of South Carolina has been abandoned after the senate and house failed to agree on a method of meeting such a situation.

Tried To Get New School

At the beginning of the session in January, the house judiciary committee introduced, at the instance of Speaker Sol Blatt, a member of the university's board of trustees, a bill to establish a law school at the State Negro college at Orangeburg.

Blatt told the committee of an application by a negro for admission to the University law school and said that since the recent decision of the U. S. supreme court in a Missouri case he did not believe the application could be legally refused.

The high court held that Missouri was bound to accept a negro into its university law school unless it maintained a comparable school for his race within the state.

The bill passed the house without ado but the senate judiciary committee, to which it was referred when it goes to the other body, bucked. A sub-committee was named to draft a substitute and finally recommended a bill that would require the endorsement of two legislators before any applicant for admission to the university law school could be accepted.

Fail to Adjust Differences

This was approved by the full committee and the bill passed the senate in this form and went back to the house, which refused to accept the amendments. A free conference committee, composed of Senators Wise of Chester, Warren of Hampton and Henderson of Bamberg and Representatives Thomas of Beaufort, Brailsford of Orangeburg and Hughs of Oconee, was appointed to iron out the differences, but met only once with no results.

The matter was allowed to drop at this point, one of the conferees telling newsmen it was thought nothing would come of the negro's application at the university because he understood a national negro leader whom he named had been advised to keep "hands off South Carolina."

Speaker Blatt expressed regret, however, that the bill as originally drafted did not pass and said that he hoped no legal action would ever be instituted against the university over a negro application for entrance.

"FOR WHITE ONLY

Reprint From Charleston Lighthouse

Spring makes Charleston a pleasant place in which to live. Summer is even more inviting. The cool breeze from the Ashley and Cooper rivers add pleasantly to comfort. And afternoons and evenings about the Colonial lake and Battery are next to Heaven.

Strolling about town, in the various comfort spots, one sees written across the back of public benches "For White Only." No where in town does one see a sign "For Colored Only". It is noted too, that a colored nursemaid can sit all day in the benches while on duty; ere evening comes she is forbidden to sit in the same seat which has not cooled.

These places are kept at public expense. They are paid for out of public taxes. Negroes contribute to their existing and yet, are barred from using them or any others. The situation is embarrassing. Should it exist and continue? Have we not enough interest to appease the situation? Must we forever see splashed across the back of public seats the lone sign: "For White Only?"

Chester, S. C., News
June 23, 1939

NO LAW WILL BE PASSED AT THIS SESSION TO BAR NEGROES FROM UNIVERSITY

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Spaker Blatt expressed regret, however, that the bill as originally drafted did not pass and said that he hoped no legal action would ever be instituted against the university over a negro application for entrance.

S.C. COURT FINES WOMAN WHO CALLED HER FRIEND "MRS."

Columbia, S.C.*July 27- (ANP) Mrs. Eloise Blake, a maid was fined $15 in City court here for disorderly conduct over the telephone. She was reported to have called the residence of a Mrs. Hadden, white, and have asked to speak to the Hadden maid, using the name and title of Mrs. Pauline Clay.

Mrs. Hadden objected to the use of "Mrs."- instead of plain "Pauline", and called a police officer who arrested Mrs. Blake.

Courier
7-29-39
Pittsburgh,Pa.

Birmingham, Ala. News
March 17, 1939

'CHARACTER" IS FACTOR

Testimonials Would Be Needed To Enter Law School

COLUMBIA, S. C.—(AP)—The judiciary committee proposed to the State Senate today a bill requiring each applicant for admission to the University of South Carolina law school to furnish testimonials of 'good moral character" from two legislators.

The bill was drafted as a substitute for a measure, already approved by the House, calling for the establishment of a law school at the colored Normal, Agricultural and Mechanical College at Orangeburg.

A Negro recently applied for admission to the university law school. The United States Supreme Court, in a decision some months ago, held in effect that states should provide equal facilities for law or professional students, regardless of their race.

Rock Hill, S. C. Herald
March 17, 1939

LAW SCHOOL BILL ON NEGRO ISSUE

Would Need Endorsement Of Two Legislators For Entrance

Columbia, March 17—The senate judiciary committee drafted a bill yesterday to meet the application of a negro for admission to the University of South Carolina law school and a recent United States supreme court decision by making indorsement of two members of the general assembly an entrance requirement.

The bill, recommended by a sub-committee composed of Senator Wise of Chester, Senator Henderson of Bamberg, and Senator Warren of Hampton, will be reported today as a substitute for the house-approved measure that provide for the establishment of a law school at the State Negro college at Orangeburg.

Under the bill, each applicant for admission to the university law school would accompany his application with a testimonial as to his "good moral character" from two legislators.

Such "written certificate" would admit any applicant who met the requirements prescribed by the trustees "regardless of race, color, creed or sex."

In a preamble the bill stated that "whereas the supreme court of the United States, in connection with law schools in the respective states, has rendered a decision in effect holding that equal facilities shall be furnished to applicants regardless of race or color; and

"Whereas, the state of South Carolina now provides for a law school at the University of South Carolina, and

"Whereas, legislation has been sought of the general assembly of this state to establish and maintain for negroes a law school at the Colored Normal, Agricultural and Mechanical College of South Carolina at Orangeburg, but the financial affairs of the state at this time do not appear to be in such condition as to warrant the expenditures of money for the establishment and maintenance of such a school; and

"Whereas, the general assembly is also desirous, instead of expending money for the establishment and maintenance of another law school, of better maintaining and expanding the present law school at the University of South Carolina in its high ideals and accomplishments for the best interests of all the citizens regardless of race, color, creed, or sex, and in so doing and in carrying out the purpose and intent of this act the general assembly has the right and is desirous of retaining some measure of control over said admissions...."

Favorable reports were prepared on bills to facilitate the formation of rural electrification co-operatives; to continue the joint committee on rural electrification until January 15, 1942; to make investments in first mortgage bonds of any corporation legal investment for trust funds; and to authorize the Orangeburg-Aiken county hydro-electric commission to borrow from federal agencies or sinking fund commission.

Spartanburg, S. C. Herald
March 17, 1939

SENATORS OUTLINE PLANS FOR NEGRO STUDENTS OF LAW

Enrollment at University Would Require Vouching by Two Legislators

Columbia, March 16 (AP).—The senate judiciary committee drafted a bill today to meet the application of a negro for admission to the University of South Carolina law school and a recent U. S. supreme court decision by making endorsement of two members of the general assembly an entrance requirement.

Three Senators Draft

The bill, recommended by a sub-committee composed of Senators Wise of Chester, Henderson of Bamberg and Warren of Hampton, will be reported tomorrow as a substitute for the house-approved measure that provided for the establishment of a law school at the state negro college.

Under the bill, each applicant for admission to the university law school would accompany his application with a testimonial as to his "good moral character" from two legislators.

Such "written certificates" would admit any applicant who met the requirements prescribed by the trustees "regardless of race, color, creed or sex."

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State Finances Prevent

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"Justice" A Mulatto Woman, So WPA Mural Is Covered

Philadelphia Tribune

NEW YORK, Philadelphia, Pa. A WPA mural in the federal courthouse in Aiken, South Carolina, has been covered up by U. S. District Judge Frank K. Myers because "the central figure, 'Justice', appears to be that of a mulatto woman."

After several weeks in the court room with the covered mural, Judge Myers informed the Treasury Department that he wanted the painting entirely removed.

The National Association for the Advancement of Colored People protested to the Department of Justice over the action of Judge Myers, but T. D. Quinn, administrative assistant under Attorney General Murphy, said the matter was up to Judge Myers to decide.

The N.A.A.C.P. thereupon dispatched a protest to Secretary of the Treasury Morgenthau. The mural was painted by Stefan Hirsch.

NEW YORK—A WPA mural in the federal courthouse in Aiken, South Carolina, has been covered up by U. S. District Judge Frank K. Meyers because the central figure "Justice" appears to be that of a mulatto woman.

Judge Says Mural Favors Mulattoes; Has Face Covered

NEW YORK, Mar. 10—A WPA mural in the federal courthouse in Aiken, South Carolina, has been covered up by U. S. District Judge Frank K. Myers "because the central figure 'Justice' appears to be that of a mulatto woman."

After several weeks in the court room with the covered mural, Judge Myers informed the Treasury Department that he wanted the painting entirely removed. The National Association for the Advancement of Colored People protested to the Department of Justice over the action of Judge Myers, but T. D. Quinn, administrative assistant under Attorney General Murphy, said the matter was up to Judge Myers to decide. The N.A.A.C.P. thereupon dispatched a protest to Secretary of the Treasury Morgenthau. The mural was painted by Stefan Hirsch.

Charleston, S. C. News & Courier
March 30, 1939

Little "Jim Crowing" in Print

One may read in the more important newspapers of South Carolina detailed accounts of homicides and other grave crimes without learning whether the parties involved are white or colored. One has read some of these newspaper stories in the last two or three weeks.

Newspaper men are sometimes asked why newspapers do not distinguish between the races in advertisements of funerals and in other obituary notices. The answer is that the statutes of South Carolina make the description in a newspaper of a white man as a negro actionable at law.

In reports of crimes and in obituary advertisements mistakes in the race of the parties are easily made. They may be made without fault of reporter, correspondent or editor. Officers of the law have been known, unintentionally, to misinform reporters.

Consequently responsible newspapers in this state have many years refrained from mentioning the race of a person when it has not been of essential importance in the story.

In other words, the oftener the newspaper mentions "negro" or "colored" as descriptive of a person, the greater the chances of a costly error now and then. The practice of eliminating these terms has saved the newspapers of the state many thousands of dollars and untold annoyance, the annoyance being comparable with the money that might have been lost.

The statutes of South Carolina—of most Southern states—effectively prevent "jim-crowing" in print, however they may cause it in railroad coaches, buses and other places.

Lexington, S. C. Dispatch-News
April 13, 1939

NEGRO STUDENT IS BANNED AT UNIVERSITY OF MISSOURI

Columbia, Missouri.—Despite a recent United States supreme court decision in the Gaines case, University of Missouri officials have refused to admit Lucille Bluford, Kansas City negress, to the school of journalism.

Excuse of the university is that the school's policy of excluding negroes is still pending final determination in the courts.

Presumably that is based on the university's appeal for re-hearing of the Gaines case by the supreme court.

Negro Calls Friend 'Mrs.'; Southern Court Fines Her

(Special to the Daily Worker)

COLUMBIA, S. C.—July 30.—Because a Negro maid referred on the phone to another Negro maid as "Mrs.", the first maid Mrs. Eloise Blake, has been fined in city court here for "disorderly conduct."

It happened this way, according to the story.

Mrs. Blake, the first maid, phoned the home of a Mrs. Hadden—white of course—and asked to speak to "Mrs. Pauline Clay." Mrs. Hadden, who answered the phone and who had no objection to being addressed as "Mrs.", went up in the air when she heard the term applied to her Negro maid.

What she wanted to know was why the caller did not simply ask for "Pauline." Not content with bawling out Mrs. Blake on the phone, the Hadden woman got in touch with the police and had "Mrs." Blake arrested, probably for using "insulting' language.

At any rate the first Negro woman was fined $15 for "disorderly conduct."

SIX FILE SUIT FOR ADMITTANCE TO TENNESSEE U

University Officials Must Show Cause Why Negroes Were Barred; Launch Fight To Close Law School

CHICAGO. — (ANP) — Efforts to obtain higher education for Negroes within the limits of the Supreme court decision in the Lloyd Gaines case are progressing on fronts, the Associated Negro Press learned this week.

1.—At Knoxville, the University of Tennessee was directed by Chancellor A. E. Mitchell to show cause why six Negro applicants should not be admitted as students in the university's graduate and law schools. The issue at stake is whether the state's law demanding segregation of the races is superior to the high court's mandate on equal education for Negroes within a state's border.

2.—At St. Louis a mass meeting in opposition to continued operation of the new Lincoln university school of law was held Friday night at First Baptist church under auspices of the Colored Clerk's circle, youth organization which began picketing the institution when it opened September 20 in the old Poro college building.

3.—Miss Lucile Bluford, managing editor of the Kansas City Call, filed a mandamus suit against S. W. Canada, registrar of the University of Missouri, after twice being denied admittance to the journalism school. There is no provision in that state for Negroes to study journalism.

The Tennessee case will be called November 6. While Missouri has provided a segrated law school for Negroes, the former has made no provisions for graduate and professional study within the state. Scholarships are available for colored students for study outside Tennessee, but the supreme court has decided that this is not enough.

The mandamus suit on behalf of six Tennessee applicants was filed in chancery court by Atty. C. A. Cowan, N.A.A.C.P. counsel, against President James D. Hoskins, Liberal Arts Dean Fred C. Smith, the board of trustees and commissioner of education. Gov. Prentice Cooper and Law Dean Henry B. Witham are trustee board members.

The petition sets forth that university officials refused applicants admittance to the tax-supported institution because of race and color, and points out:

"The charter of the University of Tennessee as amended from time to time by the general assembly states that the University of Tennessee is an administrative department of the state performing essential governmental function and provides that no citizen of Tennessee otherwise qualified shall be excluded from the privileges of the university by reason of his race or color."

In refusing last month to admit the applicants, university officials ignored the supreme court ruling and said their admission would be a violation of a state law and the state constitution which bars intermingling in the same classes with whites.

The six, each of whom filed a separate petition, are all natives of Tennessee and college graduates. Study is sought in law, physical education, sociology, biology, botany and chemistry.

Their lawyer, Mr. Cowan, was associated with Atty. Charles Houston in making investigations and preparing charges of Negro discrimination by the TVA He is regarded here as a hard fighter.

The St. Louis mass meeting is intended to create unified sentiasment against continuing the separate law school. The Colored Clerk's circle is a militant organization that has won several obfights. It contends the school is inadequate compliance with the Supreme court decision Speakers at the meeting included State Representative Frank A. Lowry of Cape Girardeau; Mrs. Georgia Jones Ellis, Chicago lawyer, and Sidney R. Williams, industrial secretary of the St. Louis Urban league

Preliminary hearing on Miss Bluford's suit to enter the school of journalism was set for Tuesday. There is no place other than the state university where she may study journalism in Missouri since no provisions for this school have been made at Lincoln.

Knoxville, Tenn., Journal
October 19, 1939

'Show Cause' Order Issued Against U-T

Barring Of Negroes Must Be Defended

The University of Tennessee was directed in a writ signed yesterday by Chancellor A. E. Mitchell to show cause why six Negro applicants should not be admitted as students of the university. The alternative writ of mandaumus was made returnable on Nov. 6.

Six separate suits were filed on behalf of the Negroes by attorneys representing the American Association for the Advancement of Colored People. The applicants had been denied admission to the university this fall.

The petitions named President James D. Hoskins, Dean Fred C. Smith, Dean Henry B. Witham, Education Commissioner B. O. Duggan, Agriculture Commissioner C. C. Flannery and members of the University Board of Trustees as defendants.

This all-inclusive list of defendants was desgined to make a "water tight" case for the Supreme Court, and would eliminate certain technicalities which have appeared in similar suits in the past, it was said.

The applicants who averred they have been denied admission to the university "solely upon the grounds of race and color" are Homer L. Saunders, C. M. March, Walter S. E. Hardy and Ezra Totton, who contend they were denied admission to the graduate school, and P. L. Smith and Joseph M. Michael, who were applicants for admission to the Law School. All are residents of Knoxville.

PETITIONS SIMILAR

"Your relator claims the right to be admitted to the graduate school of the University of Tennessee . . . under the constitution of the State of Tennessee, the Fourteenth Amendment to the Constitution of the United States and the law of the land, as a citizen, resident and taxpayer . . ." Saunders' petition said in part.

The University of Tennessee is "the only public institution in the State of Tennessee offering graduate work in the course of study hereinafter described," it was averred. The other petitions were similar in content.

They point out that the "charter of the University of Tennessee . . . provides that no citizen of Tennessee otherwise qualified shall be excluded from the privileges of the university by reason of his race or color."

Petitioners declare they are citizens and taxpayers of the state and are unable to obtain the kind of courses they desire at any other public institution. They aver they are denied admittance solely because of their race and color.

Attorneys filing the petitions included C. A. Cowan, Z. A. Looby, Leon A. Ranson, Thurgood Marshall, William Henry Hastie and Charles Hamilton Houston.

Says Southern College Must Lift Bias Ban

Right Of Six Colored To Attend Tennessee University Upheld

KNOXVILLE, Tenn. — Officials of the University of Tennessee have been directed by Chancellor A. E. Mitchell to show cause why six colored applicants should not be admitted as students in the University's graduate school and college of law.

The youths were denied admission to the university last month on the ground it would be a violation of a State law and the State Constitution to permit them to mingle in the same classes with whites.

Savannah, Ga., News
October 19, 1939

Negroes Try to Get Into Law Schoo

KNOXVILLE, Tenn., Oct. 18 (AP).—Six negroes filed Chancery Court petitions today seeking to force the University of Tennessee to accept them as students in the Graduate School and College of Law.

Their applications for admission were denied by the university last month on the grounds it would be a violation of a state law and the state constitution to permit negroes and whites to mingle in the same classes.

The negroes asked that "an alternative writ of mandaums be issued directing Fred C. Smith, dean, to accept the applications" of the petitioners.

The petitions were filed by Carl A. Coran, negro attorney of Knoxville, and five other negro lawyers representing the National Association for the Advancement of Colored People.

Johnson City, Tenn., Press
November 5, 1939

Chancellor Postpones Negro Student Hearing

KNOXVILLE, Nov. 4. (AP)—Chancellor A. E. Mitchell extended today until November 28 the time in which the University of Tennessee must show cause why six negroes are not permitted to register as students in the law and graduate schools.

The negroes, supported in their action by the National Association for the Advancement of Colored People, filed petitions recently seeking to force the university to accept them as students.

The university refused on the grounds it would be a violation of the state constitution and code to permit mingling of white and negro students in the same classes.

Objects To Suits Seeking Entry In State Universitv

JACKSON, Tenn.—(ANP)—Ther is at least one Negro in Tennesse who objects to the recent suits file by colored students for entranc into the state university in accord ance with the Gaines decision That Negro is P. L. Harden, wel known local attorney.

Not only is Lawyer Harden opposed to these suits but also he objects to "mixed" schools and declares he has never seen a graduate of such an institution amount to anything. He is against the NAACP spending funds in the Tennessee fight.

"I think we ought to have educational facilities equal to those of any other citizens, but we must realize we have two separate and distinct races in this country with the Negro a special subject," the barrister told the Associated Negro Press.

"Have we as a race ever received any advantage out of any mixed school? I am ardently opposed to mixed schools. I don't think they're for the best interest of either race I have not seen any of our group amount to anything worthwhile t

Lawyer Blasts NAACP For "Wasting" Money

he group who went to and finished a mixed school. If you can find just one, I'd like to see him and find what he looks like. The most I've seen are job hunters who can fit into the group's program.

"As a member of the NAACP I am opposed to the organization spending any of the people's funds on hiring lawyers and paying legal expenses unless they find out whether the local branches in Tennessee are back of the fight. The NAACP should be enjoined from paying out money in that manner. If those five persons want to go to the University of Tennessee, let them hire their own lawyer and pay the expense."

Attv. Harden said that if enough money had not been set aside by Tennessee for Negro scholarships in other states, either more should be asked or facilities enlarged at Tennessee State in Nashville. He says he is contacting colored educators along that line so they can map a plan and present it to the state legislature in 1941

Tennessee Attorney Upposes Negroes Attending White School

SEES ECONOMIC DANGER AND RACIAL MISUNDERSTANDING

Jackson, Tenn.—It is befitting that we speak forth our sentiments and the sentiments of the majority of the Negro taxpapers in Tennessee on this most vital and important subject: Whether it is for the Negroes in Tennessee to try to register Negro students in white universities in Tennessee.

A few days ago five Negro students made application to the University of Tennessee for entrance into that university alleging that the course of study they wanted to take was not given at the A. and I. State college at Nashville. Here is the question. Did they desire to go to the University of Tennessee or were they prompted by outside and extraneous propoganda that has been going on in some of our southern states, was it in sincerity, or feigning and pretending in order to get up a law suit.

I am in direct opposition to such tactics, in order to expand our educational facilities I am not just now getting in opposition but in 1927 in Detroit, Michigan, in the National Bar Association meeting I stood up against it with another lawyer from Minnesota. I state this in order for you to see that we are not just now getting into the knowledge of this matter and have studied it close enough to give an opinion on it.

It should be our desire to build up better relationship and better understanding between the two races in the south or north as we have the same problem in the north as in the south and they must be worked out with patience and it will take same leadership of both races to work this out, leaders who are full of thought, deleberate, cool, have the races of men at heart and void of racial prejudice as far as possible.

We think we ought to have equal educational facilities as any other citizen and we all should strive to get it, but can we realize this fact that we have two seperate and distinct races in this country, and have we studied the fact close enough to decide that the Negro race is a special subejct in this country. I am sure many will not agree to this but you read the record and take recognizance of the condition and if you have an open mind there is no debate.

Now I ask have we as a race received any advantage out of any mixed school. I am ardently opposed to mixed schools I don't think its for the best interest of either race and I for one do not want to be where I am not wanted, even with my own race. I have not seen any of our group amount to anything worth while to the group, that went to, and finished up in a mixed school. If you can find one, then I would like to see him to see what he looks like. The most I ave seen are job hunters and never can fit into the program of the group. Has this been your experience? It certainly has been mine.

As a member of the NAACP I am opposed to the organization spending any of the people's funds on hiring lawyers and paying legal expenses, costs of court, briefs etc., unless they find out whether the locals in Tennessee want it, and it should be enjoined from paying out money in that manner, and if those five persons want to go to the University of Tennessee, let them hire their own lawyer and pay the expenses.

We all understand that a fund of $2.500 has been set aside for any colored person who wanted to attend any outside school, or take a course that might not be given at A. and I. at Nashville, that might not be enough but who has gone to the legislature to ask for more, it could have been $10,000, but not a member of my group has been up there to ask for more. What facilities at the University of Tennessee that they don't have at the A. and I. State college at Nashville if they have not got them, why? The legislature has appropriated over a million dollars for buildings and equipment for that institution. Did they have to have a law suit to to get it no, President Hale just gave the legislators a big meal and they voted what ever he wanted, and if we want more would it not be better for the Negro educators of this state to come together and map out what they want and need and place it before the legislature in 1941, and get what you need through that channel. That is my suggestion and I am writing our educators along that line for an opinion. It is high time we are deciding for ourselves just what we want.

This is my personal opinion and I assume the full responsibility of the same. If some one has a different opinion we would like to have it for this is for the people and not ourselves.

(We wll also write later on the Missouri, Maryland, North Carolina and Virginia situation along this line.)

P. L. HARDEN,
Box 447,
Jackson, Tenn.

Knoxville. Tenn.. Journal
November 29 1939

U-T Denies Allegations Of Negroes

Says 'Commingling' Of Students Would Be Detrimental

The University of Tennessee yesterday denied the state discriminates against Negroes in providing educational facilities, and requested dismissal of Chancery Court suits filed several days ago by six Knoxville Negroes, seeking admission as students in the University Graduate School and Law College.

Commingling of white and Negro students here would result in "friction" and "racial prejudice," the University said in its formal answer, adding that there also is a state law against allowing them to attend the same school and classes.

"Granting of a petition for a mandamus in this case would merely hinder and handicap the state educators in working out a sound program upon a basis of present studies," the answer said in part.

It was alleged that Fiske University, Meharry College and the State Agricultural and Industrial College, Negro schools in Nashville, provide most of the courses which the complainants seek. Scholarships also are provided by the state for professional courses not offered in these schools, it was said.

"Equal rights cannot be secured to the Negro by a forced commingling of the two races," the answers said. "The attempt of the present suit to force commingling of Negro students with white students at the university can result only in accentuating the difficulty of the problem, which difficulties have heretofore been and are now being largely overcome by a co-operation of leading educators of both races."

Basis for the suit was formed several months ago, when officials of the university refused to allow the six Negroes to enter the Graduate and Law Schools. The applicants have the support of attorneys for the American Association for the Advancement of Colored People.

It has been indicated that all legal loopholes have been eliminated, so the Supreme Court may determine the matter. A rcent Supreme Court decision in a Missouri case said the state must provide equal educational facilities for its Negro students, even if they are forced to attend the same institutions as white students.

The university said "state educators are now engaged in a diligent effort to provide professional and graduate facilities for Negro students."

The next step in the suit will be the fixing of a trial date, which probably will be as early as possible.

Knoxville Tenn. Journal
July 15, 1939

Young Negroes To Be Present At Service

Young Negroes who made application to enter the University of Tennessee Medical School in Memphis will attend services tomorrow at McMillan Chapel here. They will speak at a mass meeting.

The announcement was made last night by the Rev. B. B. Evans, pastor, who has returned from the national conference of the National Association for the Advancement of Colored People.

Youths Seek Admittance To Tenn. College

6 Encamped On School Campus Waiting To Be Enrolled

KNOXVILLE, Tenn.—Six colored students seeking admission to the University of Tennessee, none of whose applications have been acted upon by the university board of trustees, presented themselves on the campus of the school for enrollment, this week according to L. A. Ransom, chief counsel in the NAACP's fight to gain admission for the students.

Ransom, in association with Car Cowan, local NAACP attorney, and Z Alexander Looby, Nashville attorney were in Knoxville last week inspecting the minutes of the university's trustee board, interviewing the applicants and inspecting the university's records.

The trustees have not rejected the applications, Ransom said (no action can be undertaken unless the students are rejected) but the secretary of the university Hess, arranged a conference Wednesday, September 20, between President James Hoskins and the lawyers. At this conference, according to Dr. Ransom, President Hoskins urged the NAACP to have the applications withdrawn in order to impair "good race relations." The suggestion was refused. All of the applicants have also refused to withdraw their applications, he said.

60 NASHVILLE WHITE WOMEN SEEKING TO ENFORCE JIM CROW

8-19-39

File Petition to Make Negroes 'Stay in Place' on Street Cars Running in Exclusive Sections.

NASHVILLE, Tenn., Aug. 17—Nashville citizens of both races were somewhat alarmed last week, when the age-old Jim Crow Law and nuisance was again brought out to the Public for consideration."

The action in the interest of the rotten and unjust law, was brought up by sixty white women, living in the Belle Meade and West End sections of Nashville, both considered the aristocratic and exclusive sections of this city.

FILE LONG PETITION

In an effort to bring about discomfort and embarrassment to the Nashville Negroes, these sixty white women filed a long petition with the State Utilities and Railroad Commission last week. In their petition, they claimed that "White people can't get standing room and sitting room on the Belle Meade and West End cars." Further in the instrument, the sixty white women claimed that they had taken it up with the Mayor, and had reported it to the motormen, and the police on the beat, but they seem to do nothing about the "terrible situation."

The Belle Meade and West End sections of this city employ a large number of Negroes as domestic servants, and riding the street cars is the only way of getting to and from their work. However, this was not put into the long petition.

COMMISSION REFUSES TO ACT ON PETITION

The Railroad and Utilities Commision, through George Anderson, secretary of the commision, refused to enforce the law any more than it is now, and informed the "sixty white ladies" that it was NOT the duty of his commission to enforce that jim-crow law but that it was the duty of the Police Department.

STOPPED NEGRO CAB DRIVERS

It was recalled last week that sometime ago, Negro car owners and cab drivers, formerly did a good business in that section bringing and carrying the hundreds of Negroes to their homes and their jobs. But, when the Tennessee Electric Power Company found this out, it immediately stopped this traffic, by saying the Negroes did not pay a certain type of "tax" to do that type of transportation. The Negro servants, if deprived of the street cars, they have no other way of transportation. The two sections are several miles from the city limits, and further from the Negro sections.

TENNESSEE UNIVERSITY IN ADMISSION DISPUTE

KNOXVILLE, Tenn., Oct. 18.—(AP)—University of Tennessee officials were directed today by Chancellor A. E. Mitchell to show cause why six negro applicants should not be admitted as students in the university's Graduate School and College of Law.

The alternative writ of mandamus was made returnable on November 6. The negroes were denied admission to the university last month on the grounds it would be a violation of a state law and the state constitution.

SIX NEGROES ATTEMPT TO ENTER U. T. AGAIN

Petitions Filed Seeking To Force Acceptance by School

KNOXVILLE, Oct. 18.—(AP)—Petitions seeking to force the University of Tennessee to accept six negroes as students in the Graduate School and College of Law were filed in Chancery Court here today. Trustees and officials of the university were named as defendants.

The negroes' applications for admission were denied by the university last month on grounds it would be a violation of a state law and the state constitution to permit negroes and whites to mingle in the same classes.

They asked that "an alternate writ of mandamus be issued directing Fred C. Smith, dean, to accept applications of the petitioners.

The petitions were filed by Carl A. Cowan, negro attorney of Knoxville, and five other negro lawyers representing the National Association for the Advancement of Colored People.

It was pointed out in the bills that the negroes had fulfilled all educational requirements of the university and claimed "the right to be admitted to the Graduate School of the University of Tennessee both under the charter provisions and generally under the Constitution of the State of Tennessee, the Fourteenth Amendment to the Constitution of the United States and the laws of the land, as a citizen, resident and taxpayer of the State of Tennessee fully qualified for admission."

It was argued that the university is the only public institution in the state offering graduate instruction in the courses of study sought by the negroes.

Tenn. U. Must Admit Negroes Or Tell Why

KNOXVILLE, Tenn., Oct. 19 (Special) — In answer to the action of officials in refusing to accept five colored students in the graduate school and the law school of the U. of Tennessee in keeping with the mandates of the U. S. Supreme Court in the Gaines case, the school was ordered Wednesday by Chancellor Mitchell to show why they should not be admitted. They were denied admission last month on the grounds it would violate a State law and the State Constitution to permit Negroes and whites to attend classes together. They were threatened with $50 fines and 30 days each.

The students in the case are Homer Sanders (education). Walter Hardy (biology) and Joseph Smith, B. S. Michael and Clinton Marsh (law).

The petitions, naming university trustees and other officers as defendants, contended that the Negroes had met all educational requirements set up by the university for entrance and claimed "the right to be admitted" as students under "charter provisions and generally under the Constitution of the State of Tennessee, the Fourteenth Amendment to the Constitution of the United States and the laws of the land, as a citizen, resident, and taxpayer of the State of Tennessee. . . . "

N. A. A. C. P. TO FILE MANDAMUS ACTION IN BEHALF OF STUDENTS

Dean Says It Is Unlawful for Whites and Negroes to Study Together—Says There Is $50 Fine for Violation

KNOXVILLE, Tenn. — (ANP)—Led by Attorney C. A. Cowan, district representative for the N. A. A. C. P., Joseph Michael, P. L. Smith, Homer L. Saunders, W. S. E. Hardy, Ezra Totten and Clinton Marsh, all of Knoxville, were refused admittance to the graduate school of the University of Tennessee by Dean Smith Tuesday.

Arriving in two cabs, the students went immediately to the office of the dean. Climbing the stairway, they met President Hoskins coming down who gave them a look of surprise, but continued on his way without comment.

"It is unlawful for white and colored people to attend school together," said Dean Smith. "If my memory serves me right there is a fine of $50 and 30 days in jail in Tennessee for violation of this code. The legislature and not this university is the proper place for your complaint."

"We do not want to enter the University of Tennesee per se, said Atty. Cowan, spokesman for the students. "It's not just because it is a white school, what we are asking for is equal educational facilities for Negroes in this state."

'Will Obey Tennessee Law'

"The constitution and the code both forbid Negroes and whites attending school together and we are going to obey the law—the Tennessee law," said Dean Smith.

In reply to an appeal made last week by President Hoskins, of the university, that the N.A.A.C.P. instruct the students to withdraw their applications and accept out-of-state scholarships pending action on the part of the Tennessee legislature to set up separate facilities within the state, Thurgood Marshall, special counsel for the association made public the following telegram which was sent to Attorney Cowan:

"National Association for Advancement of Colored People will not accept appeal to prevent admitting qualified Negroes to University of Tennessee. Scholarships for out of state work outlawed by U. S. Supreme Court in Gaines decision and not acceptable to Negroes. Proceed with filing of cases of qualified men who refuse scholarships and have been refused admission to University of Tennessee."

Dr. Leon A. Ransom, member of the association's National Legal committee said, "We are preparing to file a petition for mandamus to force the school to open its doors."

See Dean Smith

N.A.A.C.P. attorneys who have charge of the case include: Mr. Ransom, Carl Cowan and Alexander Looby. The following story of what took place on the university campus last Tuesday, is told by Mr. Cowan:

"We were fortunate in seeing Dean Smith in his office soon after we arrived. Secretary Hess came in within a few seconds. I introduced the men, stating what department or school each man had made application. I also stated that each man desired a permit to register. He then asked if they were the same men who made written applications; all replied 'yes.' He asked each their names and then passed a card for each to sign. I don't know whether he did this to compare signatures or not. The conference in substance was this: 'Dean Smith asked which one of the applicants was spokesman; I replied, none; that the men were in front of him and he could ask any one of them or all of them anything he wanted to know concerning their applications.

"Fortunately, he picked out Homer L. Saunders, and asked him why he wanted to come to the University of Tennessee. Saunders replied that he was a citizen of the state of Tennessee; that he wanted to do more work in physical and health education; that Tennessee A. and I. college could not provide him the work, and the University of Tennessee could. Dean Smith then asked him if he would be willing to go to some other school comparable to U. T., within or without the state, if the university would pay the difference in cost. Saunders replied that since he was a citizen of Tennessee, he would not be willing to go out of the state. Dean Smith then asked would he be willing to go to some other school in the state — say A. and I., it is a good school.

Questions Saunders

"Saunders replied 'No' to A. and I., because they did not offer the same facilities that U. T. did. Dean Smith then wanted to know would he be willing to go to Fisk if the same facilities were provided there that are provided at U. T. Saunders hesitated and then said, I am a Knoxville boy and I could live cheaper here at home than I could at Nashville. Dean Smith replied, 'assuming that we would pay the difference in expenses, including cost of living, and pay transportation, etc.

"Saunders replied that he would like to think it over, but on the spur of the moment, he did not see any reason why he would not go to Fisk if equal facilities were provided and the university or the state pay the difference in expenses.

"I then interrupted and said that the men were not there to be cross-examined and give their depositions, but were there to register and naturally were willing to give any information bearing directly on their applications. Dean Smith replied that we had cross-examined the University officials last Wednesday. I told him I begged to differ, but what the applicants and I really wanted to know if he were going to issue a permit to register. He then replied that he could not permit the boys to register because of the State law against it. I than said, 'you refuse to allow them to register because the State law forbids white and colored being in the same school.' Dean Smith replied, 'that I knew it as well as he did, and that I knew why he could not permit the boys to register.'

"J. P. Hess, secretary of the Board, interrupted and said that neither Dean Smith nor anyone else had authority to say why the boys were not being registered, except to say that the Board was still considering their cases. I then said, 'It appeared to me that their answer to our request would be that the Board was still considering it and that there was a State law against it.' Dean Smith said that there is a State law against it and that did I want the boys and the University to violate the State law. I told him that there was a difference in opinion as to whether the State law would be superseded by the Federal Constitution and that I did not propose to argue the case today.'

Six Negro Students Barred From University Of Tennessee; NAACP To File Mandamus Action In Case

On Tuesday, September 26, six students who have applied for admission to graduate schools of the University of Tennessee, in Knoxville, made a final attempt to register, when they visited the campus of the school in company with their lawyer, Carl Cowan, only to be told again by Dean Smith, that they could not do so, because the trustee board had not yet acted upon their applications.

In the group which arrived on the campus at 2:30 p. m., were Homer L. Saunders, Clinton M. Marsh, Walter S. E. Hardy, and Ezra Totten, all of whom were applying for graduate work in the arts and sciences; and P. L. Smith and Joseph M. Michael, both law school applicants.

Refuses President's Offer

In reply to an appeal made last week by President Hoskins, of the University, that the N. A. A. C. P. instruct the students to withdraw their applications and accept out-of-state scholarships pending action on the part of the Tennessee Legislature to set up separate facilities within the state, Thurgood Marshall, special counsel for the association made public the following telegram which was sent to Attorney Cowan:

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Applicants Cross-Examined

"I then interrupted and said that the men were not there to be cross-examined and give their depositions, but were there to register and naturally were willing to give any information bearing directly on their applications. Dean Smith replied that we had cross-examined the University officials last Wednesday. I told him I begged to differ, but what the applicants and I really wanted to know if he were going to issue a permit to register. He then replied that he could not permit the boys to register because of the State law against it. I than said, 'you refuse to allow them to register because the State law forbids white and colored being in the same school.' Dean Smith replied, 'that I knew it as well as he did, and that I knew why he could not permit the boys to register.'

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University Of Tennessee Refuses To Enroll Six

Should Go To Legislature; Group Told

By O. B. TAYLOR

KNOXVILLE, Tenn. (ANP)—Le[d] by Attorney C. A. Cowan, district representative for the NAACP Joseph Michael, P. L. Smith Homer L. Saunders, W. S. E. Hardy, Ezra Totten and Glinton Marsh, all of Knoxville were re[fu]sed admittance to the graduate [s]chool of the University of Tennes[s]ee by Dean Smith Friday.

Arriving in two cabs, the stu[d]ents went immediately to the [o]ffice of the dean. Climbing the [s]tairway, they met President Hos[k]ins coming down who gave them a look of surprise, but continued on his way without comment.

"It is unlawful for white and colored people to attend school together," said Dean Smith. "If my memory serves me right there is a fine of $50 and 30 days in jail in Tennessee for violation of this code. The legislature and not this university is the proper place for your complaint."

"We do not want to enter the University of Tennessee per se," said Atty. Cowan, spokesman for the students. "It's not just because it is a white school that we are asking for is equal educational facilities for Negroes in this state."

"The constitution and the code both forbid Negroes and whites attending school together and we are going to obey the law—the Tennessee law," said Dean Smith.

"The next move by these six students is problematical," said Atty. Cowan as they departed.

Anniston, Ala. Star
October 21, 1939

Serves No Good Purpose

Attorneys representing the National Association for the Advancement of Colored People have filed petitions in chancery court in Knoxville demanding that University of Tennessee authorities accept half a dozen Negro students in the graduate school and college of law, The Decatur Daily notes, and continues:

"Evidences like this of the intolerance of the association create the strong suspicion the associaion is not fundamentally interested in the welfare of the Negro race, but is interested in engaging the attention of radicals of both the Negro and white races with a view of obtaining greater financial support for their cause.

"The names of the Negro students who wish to enter the University of Tennessee were not given in the Associated Press dispatch. However, it is reasonably safe to assume that none of the half dozen, of his own free will and accord, selected the University of Tennessee as the one and only university he wants a degree from.

"These Negroes, if they have sufficient intelligence to pass the courses they must have passed, certainly are smart enough to know they are not wanted at Tennessee, that their presence there would be resented and their stay, enforced by court order, would be nothing they could engage in pleasant reminiscences over.

"There are a number of universities in the United States offering advanced courses to Negroes. There are some schools exclusively for Negroes which offer exceptionally high scholastic standards. Knowing this, is there any wonder The Daily is suspicious of the motive of a half dozen Negroes who suddenly are overcome by desire to enroll at the University of Tennessee?

"Is there any wonder that Southern people feel the Association for the Advancement of Colored People is more interested in breaking down social barriers between the races than it is in overcoming economic handicaps of the Negroes?

"The University of Tennessee is a splendid university, gauged by any measurement. There is no escaping the conclusion, however, that it is far from being the only good university in the nation.

"Why then should this group demand entrance into a school where their presence is not desired? Obviously somebody is putting up the money to raise an issue which is distasteful to leaders of both races who are sincerely interested in promotion of better racial relationships.

"The Association for Advancement of Colored People stands damned by its own activities!"

Bristol, Va., Herald-Courier
October 20, 1939

Problem That Must Be Met.

Six negroes have filed petitions in Chancery Court at Knoxville seeking to force the University of Tennessee to accept them as students in the Graduate School and College of Law. It was to have been expected that soon or late something like that would happen.

The applications of these Negroes for admission were denied by the university authorities last month on the ground that it would be a violation of State law and the State Constitution to permit Negroes and whites to mingle in the same classes. Hence the Chancery Court petitions.

The university authorities were on good ground, of course, but State laws and State Constitutions can not stand against Federal law as interpreted by the United States Supreme Court. And that tribunal has declared that the States must provide equal educational opportunities for people of all colors.

Tennessee, like other Southern States, provides equal educational opportunities in the common schools, maintaining separate schools for colored people. But that is not enough. Tennessee and other Southern States must also provide equal opportunities in institutions of higher learning. Colored students must be given the same advantages as white students.

If under Tennessee law colored students can not be admitted to the State University, either the law must be repealed or an institution must be established in which colored students will receive the same training they would receive at the university. And it is not sufficient that the State maintain those students in institutions in other States where mixed classes are permitted.

This problem has arisen and Tennessee must meet it.

Ask Court To Dismiss Negro Issue

NASHVILLE, Tenn. The efforts six Negroes to force the University of Tennessee to admit them to its graduate and law schools can only "create friction and arouse racial prejudice," the university said this past week, in answer to the Negroes' petition for a mandamus which would compel their admittance.

The university asked chancery courts to dismiss the suits, while denyng the state discriminated against Negroes in providing educational facilities.

Knoxville, Tenn. News Sentinel
October 5, 1939

DR. PRESNELL DIDN'T MENTION EXTENSION

Corrects N-S on Negro-U-T Controversy Story.

Dr. J. H. Presnell did not write President James D. Hoskins of the University of Tennessee suggesting that the offering of extension courses to Negroes would satisfy the race's demand for equal educational facilities here as The News-Sentinel said in a story Sunday, Dr. Presnell pointed out today.

Dr. Presnell's letter to President Hoskins made no mention of extension courses and The News-Sentinel regrets the error. His letter read:

"In regards to the admission of Negro applicants to the University of Tennessee's law and graduate schools, I feel quite sure that equal educational facilities in some Negro college or university would be the proper step in solving this problem. The $2500 appropriation that comes out of the A & I State College fund has been found to be inadequate to take care of those students whose schools do not offer the desired professional or graduate training.

"Therefore, it is suggested that a selection be made among the Negro schools of the state with a prepared personnel where Negro students may pursue graduate or professional work. Such schools as Knoxville College of Knoxville, Tenn., Fisk University of Nashville, Tenn. or A & I State College of Nashville, Tenn. A selection of one of these schools would be suitable for this work.

"It is not the desire of the Negro student to attend the University of Tennessee, but they are only asking the state to give them equal educational facilities in their own colleges and universities of the state. If not, legally, the University of Tennessee is the only open door for them."

Nashville Tenn. Banner
October 3, 1939

Negroes Seek Equal School Opportunity

Knoxville, Tenn., Oct. 3—(AP)—Negroes in Tennessee want equality in educational opportunity but do not insist on attending the same school with whites, Dr. J. H. Presnell, so-called "mayor" of Knoxville's Negro community, said today in a letter to President James D. Hoskins of the University of Tennessee.

Referring to the action of six Negroes who attempted to enroll last week as students at the State University, Presnell suggested "a selection be made among the Negro schools of the state with a prepared personnel where Negro students may pursue graduate or professional work."

He said either Knoxville College, Fisk College of Nashville or the State Agricultural and Industrial College of Nashville would be suitable.

"It is not the desire of the Negro students to attend the University of Tennessee," said Presnell, "but they are only asking the state to give them equal educational facilities in their own colleges and universities of the state. If not, legally, the University of Tennessee is the only open door for them."

There is a state law which prohibits Negroes and whites from attending the same school classes, but its constitutionality has been clouded since the Missouri Supreme Court held a similar law in that state invalid.

Nashville Tenn. Banner Sept. 27, 1939

Negroes Seek To Lift Bar to Higher Education

Knoxville, Tenn., Sept. 27—(AP)—University of Tennessee officials today were faced with a request to provide higher educational facilities for Negroes.

The officials yesterday conferred with six Negroes and C. A. Cowan, counsel for the National Association for Advancement of Colored People, and explained to them that Tennessee's law prohibited whites and Negroes attending the same school.

Cowan said the NAACP was not attacking the state law but "just want equal facilities."

The Tennessee Legislature recently appropriated $2,500 to start a fund to aid Negroes seeking higher education.

University Of Tennessee Required To Defend Its Policy Of Discrimination

Globe 10-27-39 Nashville, Tenn

Question Of Refusing Admission To Colored Students Will Get Hearing In Knoxville Court, November 6

CHICAGO, Oct. 26—(ANP)—Efforts to obtain higher education for Negroes within the limits of he Supreme Court decision in the Lloyd Gaines case are progressing on three fronts, the Associated Negro Press learned this week.

1. At Knoxville, the University of Tennessee was directed by Chancellor A. E. Mitchell to show cause why six Negro applicants should not be admitted as students in the university's graduate and law schools. The issue at stake is whether the state's law demanding segregation of the races is superior to the high court's mandate on equal education for Negroes within a state's border.

2. At St. Louis a mass meeting in opposition to continued operation of the new Lincoln University school of law was held Friday night at First Baptist Church under the auspices of the Colored Clerks' Circle, youth organization which began picketing the institution when it opened September 20th in the old Poro College building.

3. Miss Lucile Bluford, managing editor of the Kansas City Call filed a mandamus suit against S. W. Canada, registrar of the University of Missouri, after twice being denied admittance to the journalism school. There is no provision in that state for Negroes to study journalism.

The Tennessee case will be called November 6th. While Missouri has provided a segregated law school for Negroes, the former has made no provision for graduate and professional study within the state. Scholarships are available for colored students for study outside Tennessee, but the Supreme Court has decided that this is not enough.

The mandamus suit on behalf of six Tennessee applicants was filed in chancery court by Attorney C. A. Cowan, N. A. A. C. P. counsel, against President James D Hoskins, Liberal Arts Dean Fred C Smith, the board of trustees and commissioner of education. Governor Prentice Cooper and Law Dean Henry B. Witham are trustee board members.

The petition sets forth that university officials refused the applicants admittance to the tax-supported institution because of race and color, and points out:

Globe 10-27-39

"The charter of the University of Tennessee as amended from time to time by the general assembly states that the University of Tennessee is an administrative department of the state performing essential governmental function and provides that no citizen of Tennessee otherwise qualified shall be excluded from the privileges of the university by reason of his race or color."

In refusing last month to admit the applicants, university officials ignored the Supreme Court ruling and said their admission would be a violation of a state law and the state constitution which bars intermingling in the same classes with whites.

The six, each of whom filed a separate petition, are all natives of Tennessee and college graduates. Study is sought in law, physical education, sociology, biology, botany and chemistry.

Their lawyer, Cowan, was associated with Attorney Charles Houston in making investigations and preparing charges of Negro discrimination by the TVA. He is regarded here as a hard fighter.

The St. Louis mass meeting is intended to create sentiment against continuing the separate law school. The Colored Clerks' circle is a militant organization that has won several job fights. It contends the school is inadequate compliance with the Supreme Court decision. Speakers at the meetings included State Representative Frank A. Lowry of Cape Girardeau; Mrs. Georgia Jones Ellis, Chicago lawyer, and Sidney R. Williams, industrial secretary of the St. Louis Urban League.

Preliminary hearing on Miss Bluford's suit to enter the school of journalism was set for Tuesday. There is no place other than the state university where she may study journalism in Missouri since no provisions for this school have been made at Lincoln.

Tuscaloosa, Ala., News
November 29, 1939

Tennessee And The Negro

THE University of Tennessee is opposing in the courts the efforts of six negroes to force the school to admit them to its graduate and law schools. The University contends that the effort on the part of the negroes can only 'create friction and arouse racial prejudice." President James D. Hoskins and Dean Fred C. Smith declared that "social prejudice cannot be overcome by legislation. Equal rights cannot be secured to the negro by a forced commingling of the two races."

The negroes filed their suit through attorneys for the National Association for the Advancement of Colored People after the University of Tennessee refused last September to enroll them as students. They claim the refusal was a violation of their constitutional rights and that the courses of study they sought were not available at other state institutions open to negroes.

Counsel for the University declared that the petition for a mandamus would compel the defendants to violate the criminal statutes of Tennessee which make it unlawful for white persons and negroes to attend the same school, or for teachers to teach them in the same class. Violation of the law is a misdemeanor subject to a fine of $50 for each offense and imprisonment for not less than six months.

The action of the six negroes is based upon the recent decision by the United States Supreme Court holding that similar restrictive laws in Missouri were unconstitutional. The University of Tennessee says that Fisk University, Meharry College and the State Agricultural and Industrial College, all negro institutions at Nashville, offer most of the courses in graduate work sought by the negroes. The University also set forth that the 1937 Legislature made scholarships available to negroes for graduate and professional courses not offered in state institutions.

The University of Tennessee action, like the Missouri decision, will be of interest to Alabama, and especially to Tuscaloosa. In Alabama, we have no law school except at the University, and the University offers a number of other courses which are not available elsewhere. It is reasonable to believe that, urged on by such agencies as the Association for the Advancement of Colored People and the Southern Conference for Human Welfare, certain negroes will make an attack on the University of Alabama.

Tennessee, having fewer negroes than Alabama, has been far more lenient on the racial question than have we; it long ago did what certain of our Alabama reformers are now urging this state to do; that is, to throw down the suffrage bars to the negroes, and it is now paying for its leniency. The tragic part is that Alabama's price of payment—with so many more negroes than Tennessee has—would be far higher. It all presents a perplexing problem to us—but, Supreme Court or no Supreme Court, we do not believe that the people of this state are yet ready to throw open the doors of the University of Alabama Law School, or of any other school at the University to negroes.

Mooresville, N. C. Enterprise
November 30, 1939

The South's Newest Problem

Six Negroes have filed petitions in Chancery Court at Knoxville seeking to force the University of Tennessee to accept them as students in the Graduate School and College of Law. It was to have been expected that soon or late something like that would happen.

The applications of these Negroes for admission were denied by the university authorities last month on the ground that it would be a violation of State law and the State Constitution to permit Negroes and whites to mingle in the same classes. Hence the Chancery Court petitions.

The university authorities were on good ground, of course, but State laws and State constitutions cannot stand against Federal law as interpreted by the United States Supreme Court. And that tribunal has declared that the States must provide equal educational opportunities for people of all colors.

Tennessee, like other Southern States, provides equal educational opportunities in the common schools, maintaining separate schools for colored people. But that is not enough. Tennessee and other Southern States must also provide equal opportunities in institutions of higher learning. Colored students must be given the same advantages as white students.

If under Tennsesee law colored students cannot be admitted to the State University, either the law must be repealed or an institution must be established in which colored students will receive the same training they would receive at the university. And it is not sufficient that the State maintain those students in institutions in other States where mixed classes are permitted. This problem has arisen and Tennessee must meet it.—Bristol, Tenn., Herald-Courier.

DeLand [illegible]
November 29, 1939

Racial Problem

Six Negroes Demand Right Attend Classes At University Tennessee

KNOXVILLE, Tenn., Nov. 29.—(UP)—The University of Tennessee contended today that efforts to have five Negroes admitted to its graduate and law schools would only "create friction and arouse racial prejudice."

In answer to a mandamus suit seeking to gain admittance for the Negroes, U-T officials denied that the state discriminated against Negroes in providing educational facilities.

"Social prejudice can not be overcome by legislation," school officials said. "Equal rights can not be scured to the Negro by forced commingling of the two races. The attempt of the present suit . . . can only result in accentuating the difficulties of the problem, which difficulties heretofore and are now largely being overcome by cooperation of leading educators of both races."

The University's answer asked that the mandamus proceedings be dismissed.

The Negroes filed suit in chancery through attorneys for the National Association for the Advancement of Colored People after the University refused to admit them last September.

The petitioners claimed the refusal was a violation of their constitutional rights and that the courses of study they sought were not available for Negroes at other state institutions.

KNOXVILLE, Tenn.—(CP)—The University of Tennessee, last week, sought to defend opposition to permitting Negroes to study in the state university.

Efforts of six students to force the University of Tennessee to admit them to its graduate and law schools, said university officials, can only "create friction and arouse racial prejudice."

They asked the Chancery Court to dismiss the suits filed by attorneys of the National Association for the Advancement of Colored People and denied that the state discriminates against Negroes in providing educational facilities.

"Social prejudice," said the university, "can not be overcome by legislation. Equal rights can not be secured to the Negro by a forced co-mingling of the two races.

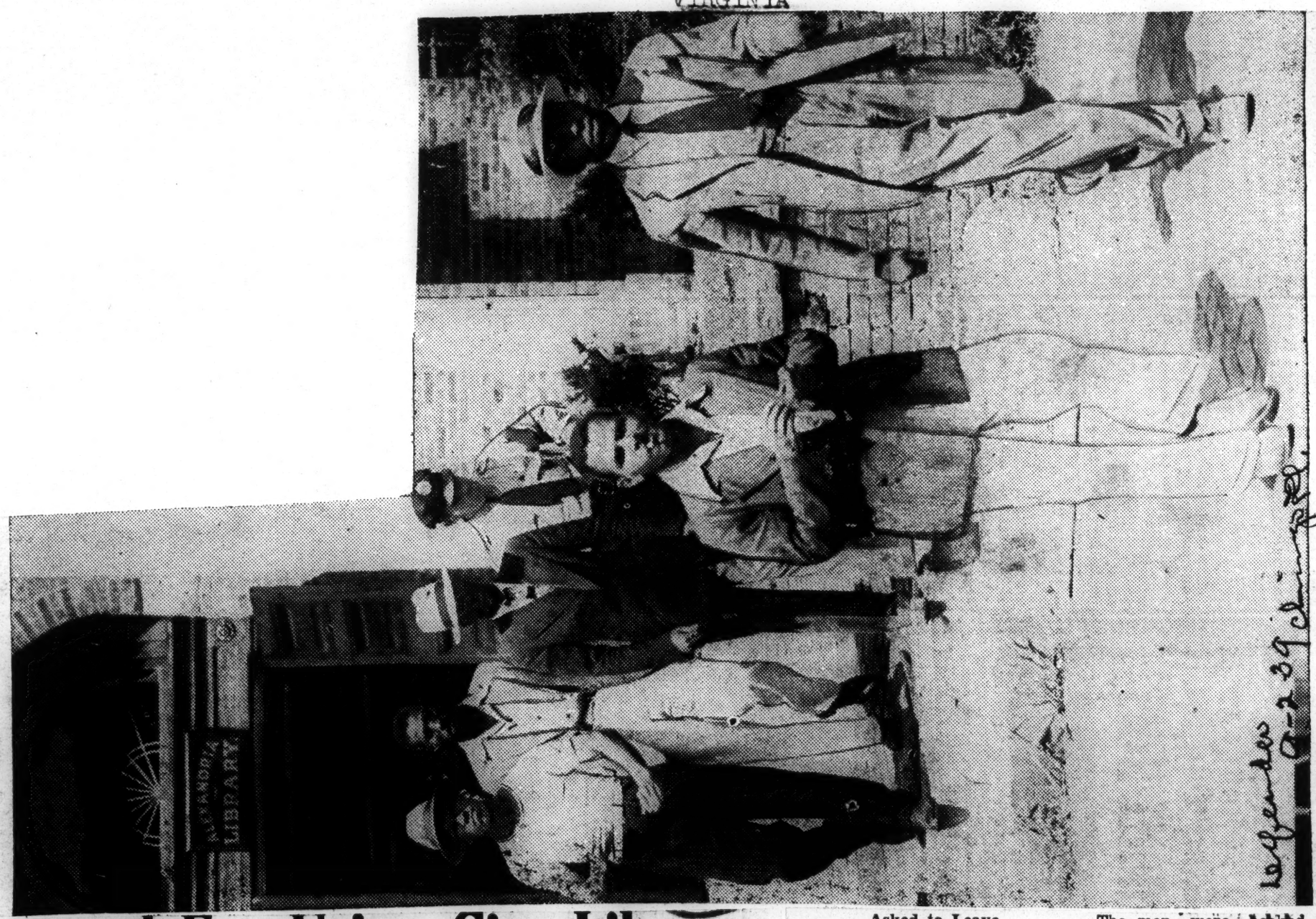
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Tennessee U. Asks Court To Dismiss Case

Journal and Guide
Denies State Discriminates Against Race
12-9-39
Norfolk, Va.

DISCRIMINATION-1939

VIRGINIA



Because they visited a city-supported library in Alexandria, Va., these five young men were arrested last week and lodged in jail on charges of disorderly conduct. They were, however, freed on their own recognizance to await trial which has been set for next Tuesday. Pictured as they were being led away from the city library to the police station are, left to right, William Evans, Otto L. Tucker, Edward Gaddis, Morris L. Murray and Clarence Strange. The policeman is Officer F. Kelly.—Murray photo.

5 Arrested For Using City Library In Virginia; Case Puzzles Judge

ALEXANDRIA, Va., Sept. 1—The Alexandria jim-crow library case took a different turn this week when five young men were arrested for using the facilities of the city library in what is considered by observers a test case in the State of Virginia.

With a case already pending in the corporation court on the question of whether Race citizens have the right to use the city-supported library, municipal authorities were again put to the test by the quintet.

The young men, arrested, but freed on their own recognizance until next Tuesday when the trial is scheduled, are Morris L. Murray, 22; Otto L. Tucker, 22; Edward Gaddis, 21; William Evans, 19; and Clarence Strange, 21.

They went to the library Monday, one at a time, requested a card from the librarian, were refused, and then taking books from the shelves, seated themselves and began to read.

At once a commotion was set up by library authorities, although every action was carried out quietly. After various telephone conversations between the librarian, Miss Catherine Scroggin, white, and unknown parties, police arrived on the scene.

According to Mr. Murray, the young men had been in the building almost an hour before two policemen arrived—Officers F. Kelley and John C. Wilkinson.

Asked to Leave

The officers told them that they would have to leave the library, one of the men said, whereupon he asked the officers what would be done if they did not leave.

"I am sorry, but I shall have to arrest you, then," the officer is reported to have answered. The young men said that they would not leave, it was reported, and the officers then told the group that they were under arrest.

Quietly they filed out of the building and went to the police court. Counsel was sent for. He was S. Wilbur Tucker, the same lawyer who is handling the defense for Sgt. George Wilson who has issued proceedings against the library and the city authorities for refusing to grant him a library card.

The men were booked on a charge of disorderly conduct.

Upon cross-examination of Officer Kelly by Lawyer Tucker, he admitted that the men had been quiet and properly attired.

"Were they destroying property?" asked Tucker.

"No," replied the officer. "Were they properly attired?" queried counsel. "Yes," the officer replied. "Were they quiet?" "Yes," the officer responded.

"Then they were disorderly only because they were black?" asked Tucker. The officer admitted that the only disorder in question was because the men were members of the Race and the library was for white people.

Charge Doubtful

Judge Duncan, hearing the case

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Charge Doubtful

Judge Duncan, hearing the case

at the time, admitted that he saw no reason for a charge of disorderly conduct, and District Attorney Armistead L. Boothe (white) requested a continuance so that he could look up the law on the matter.

The case was continued for a week and the young men were told that they could go on their personal bond, although a bondsman was present to furnish bond.

Attorney Tucker asked that only one defendant be tried at a time and said that he would stand by any decision handed down in the case of the first one tried. Morris Murray will be the first tried.

Mr. Murray is a news photographer and printer. He works at the Murray Brothers Printing office in Washington and is a free-lance photographer. His address is 813 Princess street.

City Prosecutor Raps 14th, 15th Amendments

Trial of Five Youths Continued Following Testimony On Both Sides to Await Decision on Briefs to Be Submitted

ALEXANDRIA, Va. — The age-old issue of the rights of the States versus those of the Union was brought to the front again, Tuesday, in the trial of the five young men arrested here for using the City Library last week, when City Attorney Armistead L. Boothe questioned the validity of the Fourteenth and Fifteenth Amendments to the Constitution.

The case of the youths was continued for the third time by Judge James Reece Duncan of the police court, following testimony on both sides, so that attorneys could submit legal authorities relative to committing an "breach of the peace."

Attorney Boothe, in his arguments Tuesday, expressed his opinion that Virginia was not bound by the fourteenth amendment, since that state, with six other Southern states, had ratified the amendments only under coercion and threats by the North, and that it had not therefore been properly ratified.

Ratification had been forced upon the Southern state by carpet-baggers, negroes, and other advocates of the Union.

Disorderly Conduct Charged

The young men—Morris Murray, Otto L. Tucker, Clarence Strange, William Evans, Edward Gaddis—were arrested August 21 when they went to the library and being refused library cards took books from the shelves and seated themselves at the tables to read them. They were summarily arrested by two police officers.

The charge placed against them have redress in the courts.
court was "disorderly conduct," but the judge expressed doubt that grounds for the disorderly conduct charge could be proved, since Policeman Kelley, one of the arresting officers, testified that the young men were properly dressed, did not destroy any property, nor become violent in word or manner.

His other two points of contention were that the library was not a public institution, and that a previous legal case in Mississippi established the fact that citizens must first ask the authorities concerned for what they wanted and exhaust every method along this line of procedure before they could have redress in th courts.

Supporting his first point he cited the case of the Maryland Institute of Mechanical Arts in Baltimore which was upheld by the courts for refusing to give a scholarship to a colored boy. The court decided, he explained, that although the institution was granted $9,000 annually by the city, it was not a municipally-controlled agency.

Calls for Separate Trials

At the first hearing of the case Attorney Tucker had called for separate trials for each one of the young men, and had agreed to abide by whatever decision was made in the case of the first one tried. Morris Murray, 22, 813 Princess Street, was scheduled to come to trial first.

However, when the trial began Tuesday, Judge Duncan called for the case of William Evans, who had retained Brooke Howard, since the arrest and first hearing, a white lawyer. Mr. Howard asked the judge to try his client first since he had a police record and was on parole.

He did not wish his client to be compelled to abide by the decision of any one of the other defendants, he argued, since any conviction, if any, would work more of a hardship on him.

This gave the case a new turn The other men involved in the case which they considered a test case did not know at the time of their library episode, that Mr. Evans had been convicted for assault.

Persuaded by Others

Mr. Evans testified on the stand upon questioning by his attorney that he had gone to the library at the request of Ottor Tucker; that he did not want to read any books and that his friend had told him that his (Otto's) brother, S. Wilbur Tucker, defense attorney, would give him legal aid if he needed it.

Mr. Howard questioned him concerning the person behind the trip to the library, and when Mr Tucker's name came up, Judge Duncan addressed the latter, asking him whether he did not think that there could have been a more peaceful way in handling the library matter.

Mr. Tucker answered that he was not on trial, that he was counsel for the defendants, and that he had a right to advise any citizen of what steps to take when his rights were involved.

Officer Without Warrant

During the testimony of Officer Kelley, Mr. Tucker asked him whether he had a warrant when arresting the men. The officer replied in the negative. The lawyer then warned the officer that he made himself liable to a civil suit when he made an arrest without a warrant.

Officer Kelley said that he used his own judgment in such cases, and that in this case is was the "custom" to keep colored persons from using the library. At this point, Mr. Tucker gave a brief lecture on the South's use of custom when law is at stake.

Mrs. Albert A. Smoot, white president of the library board, was put on the stand. She testified that the board had been making plans to provide library facilities for colored persons, and that the interracial committee had decided that a boys' club and community center were more urgent needs at this time for the colored population of the city. Mr. Tucker reminded her that she was expressing the opinion of five colored citizens rather than 5,000.

When Mrs. Smoot said that the white citizens had been 143 years getting a city library for public use, Mr. Tucker asked her whether she thought the colored people should wait 143 years longer. To this she responded in the negative.

The case was postponed then until Friday of this week so that attorneys on both sides could look up legal authorities for a charge of "breach of the peace," upon which charge the case turned having failed to establish "disorderly

Boys Wanted To Read, But Librarians Had Them Jailed

Journal and Guide 9-2-39 Norfolk, Va.

Judge Continues Case For Week To Study Charges

ALEXANDRIA, Va. — (ANP)—To the utter amazement of the crowded court assembled last week to hear the charges of disorderly conduct against five colored youths who sought the use of Alexandria's public library, every one of the lads was neatly dressed, intelligent in appearance, and conducted themselves as gentlemen should—and the charges preferred against them were disorderly conduct.

When the trial got under way, both the librarian and the arresting officer declared that there was no evidence of disorderly conduct and that the youths were behaving themselves as any other ordinary users of the library.

The counsel for the boys then forced the librarian to admit that she had had the young men removed because they were colored and not disorderly.

ADMITS DISCRIMINATION

The arresting officer admitted the same thing, which caused the judge to continue the case for a week, until such evidence as was necessary to support the charges was presented. Said Judge Duncan:

"There seems to be no evidence of disorderly conduct here, but it is a matter of constitutional privileges."

When asked by the boys' lawyer if it were true that had the defendants been white and acting as they did, would they be forcibly removed, the librarian said no. Practically admitting that the cause for the arrest was a matter of color and not a violation of any city ordinance, the librarian had no tangible evidence to offer the court.

NOT DISORDERLY

The boys. Otis Tucker. Edward Gaddis, Morris Murray, William Evans and Clarence Strange, had visited the library and when refused use of the facilities of the institution, staged a "sit-down strike" in the reading room. When ordered out, they refused to go, quietly taking books from the shelves of the library, sitting down and started reading. The librarian then called a policeman who placed the youths under arrest for disorderly conduct. Defending them was S. W. Tucker, a local attorney.

Judge James Reece Duncan presided and gave the defendants every possible advantage under the laws of Virginia.

Continued for a week, the case is attracting considerable attention.

CLAIMS COPS BROKE LAW IN LIBRARY CASE

Defendan

Says Race Is No Crime Under Ordinance Of Trespassing

9-23-39

By FLORENCE MURRAY

ALEXANDRIA, Va., Sept 22—Not only are the five youths who were arrested for using the city library here innocent of any wrong doing or illegal action, but the officers who arrested them are liable to punishment under the law, Samuel Wilbur Tucker, defense attorney in the now-famous library case, pleads in his brief filed with the court last week.

There is no statute or ordinance in common law under which an act of trespassing makes it a crime for a person of one race and not for a member of another race.

This was one of the points of law in the brief filed with the court by Mr. Tucker, following the request of Judge James Duncan sitting on the police court bench last week for attorneys on both sides to submit legal authorities to him for study in connection with the case of the five young men arrested for using the library.

Tucker's brief was submitted in answer to the one filed by City Prosecutor Armistead L. Boothe, white.

Makes Issue

The young men are charged with disorderly conduct, and after three continuances of their trial, the judge requested the authorities from which he is expected to base his decision.

Failure to obey a police officer under circumstances similar to those in the case constitutes disorderly conduct, it is argued by Boothe in his brief. He cites the case of People versus Galpern in New York, in 1932.

Pointing out the fact that one of the defendants, when approached by the arresting policeman in the library, asked the latter what would be done to him if he did not leave as ordered, Mr. Boothe contends that a case in South Carolina established the grounds that any language used by the defendant which was calculated to produce disorder and to disturb the quiet and peace was unlawful and considered to be disorderly conduct, even though no one was disturbed.

Race No Item

Answering these arguments, Tucker's brief states that "if one is in a place he has a right to be, and is doing what he has a right to do, in a lawful manner, he may resist any assault made upon him even if necessary to the extent of taking his assailant's life, provided the assailant apparently threatens life or great bodily harm."

He used the case of Otto L. Tucker, one of the defendants, instead of that of Morris L. Murray, who was the first to be called to trial, since the latter had been passed over due to new evidence in Tucker's case.

"Therefore," Lawyer Tucker contends, "if we assume that Tucker (referring to Otto L. Tucker, who is his brother) has the right to sit and read in the library, there is nothing left for judicial determination unless we can find that: (1) the police officer's order that Tucker should leave the library was clothed with authority of the law, or (2) the manner in which he exercised the right we are assuming him to have had was in fact disorderly and in fact did breach the peace."

Act Unlawful

On the first point cited above, the defense attorney contends that upon the assumption that the young man has a right to sit and read, the police officer was not only without authority of law to order him to leave, but that his attempt to make him leave was unlawful and punishable under the criminal law, and actionable under the civil laws of the state.

Concerning the second point, he declares that the evidence shows that the only objectionable feature about the entire incident was that Tucker is colored, and that in the absence of a statute requiring the court to do so, "we cannot allow his racial identity to enter into the consideration of this case."

Library Is Public

"One who without invitation quietly enters a library," the brief continues, "though privately owned and operated, and does no more than sit and read therein is neither guilty of disorderly conduct, nor of conduct tending to breach of the peace (until he refuses to leave upon request of the owner), nor of any offense approaching the magnitude of a crime; and his innocence is in no wise altered by the fact that he may be a colored man and that the definitely known policy of the library is to accommodate white people only."

Furthermore, he argues, "there is no statute or ordinance under which such act—amounting to no more than a trespass if any offense at all—when committed by a person of one race, can be construed as a crime when committed by a person of another race; and certainly such discrimination is unknown in common law."

Law Enjoins City

The contract under which the library was established clearly indicates that the library is a public library, Tucker's brief states, adding that the building is maintained at considerable expense to the city.

Where the municipality has undertaken the function of providing public library facilities, not only does the law give to every citizen the right to the use thereof, he asserts, but the law enjoins the municipality from denying to any citizen access to any building which may be dedicated for such public use, regardless of his race or color.

The men on trial in the case are Otto L. Tucker, Morris L. Murray Clarence Strange, Williams Evans and Edward Gaddis. They were arrested August 21.

SUES TO TAKE POLICE EXAM

NORFOLK, Va., (ANP)—Ernest Wright, well known Norfolkian, has filed suit in U. S. District Court to compel the city to grant Negroes the privilege of taking civil service examinations for positions on the police force. Attorney F. J. Thorogood is representing Wright.

Argues

Wright said he filed an application early in October with the Civil Service Commission, for the exam set for Oct. 21, but on Oct. 17 he was informed that only white men were eligible for the test.

St Louis Mo.

The suit was, brought, said Wright: "For the benefit of himself and other qualified members of the Negro race who were and are denied lawful examinations for appointment as members of the division of police of the city of Norfolk." Members of the city council reportedly declared that the city has the right to employ whom it chooses for any municipal position. A decision in the case is expected in the near future.

Bar Race Teams from Lynchburg Stadium

LYNCHBURG, Va. — The City Council on Monday last week by a vote of 5 to 2 approved the report of its stadium committee to bar Negro teams from playing in the City Stadium. The committee report said Negro football teams should play at the Negro Jefferson park where so far the city has provided little more than a gully washout with only cement seats without protection from the sun or weather.

Although the stadium was built by public money plus finances from the Federal government, the Council voted to bar its use from any colored teams. However, it is the only place where any Negro teams can hope to control attendance so that the games will be paying propositions.

Mayor L. E. Lichford gave his approval to the committee's report. The two councilmen voting against the committee report were Wister M. Heald and Abe M. Schewel.

Jefferson Park has never been properly developed. There are no trees. One development in the park is the pool which attracted many hundreds of bathers during the hot July and August days.

JURY WILL HEAR LIBRARY CASE IN ALEXANDRIA

Sgt. Wilson Asks Court for Mandamus Writ to Get Card

ALEXANDRIA, Va. —One of the two Alexandria library cases which has attracted nation-wide attention will be heard Monday, December 4, it was learned this week.

The case to come up for jury trial is that of Sgt. George Wilson vs. the city librarian, Mrs. Katherine Scroggins, white, in which Wilson has petitioned the court to issue a writ of mandamus compelling the librarian to give him a library card. The action was filed last spring.

Most mandamus proceedings are not decided by jury trial, lawyers say. If the case involves citizenship rights, as some believe, the jury trial is considered unusual. In fact, some lawyers believe that the case will hinge around the Constitutional rights of an American citizen.

Outcome in Doubt

Just what the jury will be asked to decide is a matter of conjecture. Questioned concerning the procedure or the outcome of it, S. Wilbour Tucker, counsel for Sgt. Wilson, said that he could not tell how the judge will charge the jury or what turn the case may take.

He refused to state whether he would demand colored persons on the jury or not. Only since the Supreme Court decision in the Scottsboro case has Virginia been including colored persons on jury panels.

Judge William P. Woods of the Corporation Court will hear the case.

The other library case, which involved the arrest of five youths for using the library last summer, is still pending. It is believed by those close to the situation that the case will quietly be dropped and nothing more will come of it. The men were charged with disorderly conduct and arraigned in the police court.

At the last hearing, the matter was postponed with no date set for a hearing. This is considered unusual procedure, and there was doubt in the minds of some attorneys as to whether the case could be considered dismissed.

Delegates Balk When Faced by Hotel Jim Crow

NORFOLK, Va. — Delegates from Attucks Post of the American Legion, when ordered to enter the Monticello Hotel through a rear alley entrance, left the hotel and sent the following telegram to John Twohy, 32nd, white, chairman of the Joint American Committee, who had issued them invitations to the meeting.

"Sorry not to be present at meeting. Colored delegation refused admittance unless they went out and entered through rear alley. Delegation feels that this is not in keeping with true Americanism. and certainly not helpful to your program."

Men Outstanding Citiezns

The Attucks Post delegation included Eugene West, letter carrier, a former president of the State Association of Letter Carriers, president of the Charles G. Young Chapter of the American Red Cross; W. P. Thorogood, assistant superintendent of the district office of the Southern Aid Society, and a retired navy officer and V. L. Lindsay, an employee of the Norfolk Navy Yard.

The men, who had been invited to attend a State-Wide American Legion conference at the hotel, had entered the lobby when they were directed by white bellhops to leave the lobby, go through an alley, and reenter the hotel at the rear to use an elevator there to reach the Legion sessions, which were being held on the seventh floor.

Girl Loses Action Against Manager

LYNCHBURG, Va.—An all white jury in Corporation Court here Wednesday of last week turned down the $5,000 damage suit filed by Miss Louise Kidd, 16-year old Lynchburg girl, against the Charles Stores and Assistant Manager A. W. Stanton for injuries received when the white man allegedly hit her following an altercation over a ten-cent purchase at the store February 25.

Miss Kidd charged that the assistant manager struck her in the face fracturing her jaw, and then kicked her out of the store when she insisted that the dime be returned to her after she was unable to find the anklets she had asked for.

Stanton was acquitted on the criminal charges in Criminal Court last month. During that trial Judge Aubrey Strode instructed the jury that if in their opinion Stanton had reason to believe that the girl intended to do bodily harm to the clerk, he was within his rights to strike her, but that if in their opinion the assistant manager had no reason to believe that the girl intended to attack the clerk, he was not in his rights in striking her.

At the initial hearing Municipal Judge Joseph McCarron said the girl was apparently disorderly but that this did not warrant the assistant manager striking her. Instead, this judge said, he should have called the police to handle the matter. Consequently Assistant Manager A. W. Stanton was fined $100, but he appealed the case and won in Corporation Court when he was acquitted last month.

JAW FRACTURED

Dr. W. T. Pugh, surgeon, who testified in the case, said he saw Miss Kidd the night of February 25 and treated her for a sore jaw. Later, he said, an X-ray examination revealed that the lower jaw was broken and it was necessary to wire the lower and upper jaws together. Several other witnesses testified for the plaintiff.

Louise Drumheller, white, saleswoman of the local Charles Store, with whom Miss Kidd had the original dispute, said the girl failed to find the anklets she wanted and then requested the return of the money. The saleswoman refused to give Miss Kidd the money, but advised her, she testified, to see the manager. Mrs. Drumheller said that during the dispute with Mr. Stanton the girl threatened to beat her. It was then that Stanton struck her shattering the glass in the showcase. She fell to the floor. Miss Kidd said he then kicked her out of the door while she was in an unconscious condition.

Soon after the incident in February, the Chi Beta Sigma chapter of Phi Beta Sigma fraternity, the Interdenominational Ministerial Alliance of Lynchburg and vicinity the local branch off the NAACP, and other organizations, sent letters and telegrams to the New York headquarters of Charles Stores, Inc., requesting the dismissal of Mr. Stanton. That office, however, refused to acknowledge these communications, but local officials expressed regret that the assault occurred and made a plea with several Negro leaders for patience in adjusting the matter.

BROUGHT TO COURT FOR DISORDERLY CONDUCT CHARGE

Librarian Admits They Were Not Disorderly; Had They Been White, Would Not Have Been Molested

WASHINGTON.—(ANP)—Hailed into court last week on a disorderly conduct charge, five Virginia youths were found to have been arrested because of their color.

To the utter amazement of courtroom spectators an Alexandria public librarian admitted that the boys were arrested on the charge when they staged a sit-down strike because they were refused library service.

When the trial got under way, both the librarian and the arresting officer declared that there was no evidence of disorderly conduct and that the youths were behaving themselves as any other ordinary users of the library.

The counsel for the boys then forced the librarian to admit that she had the young men removed because they were colored and not disorderly.

The arresting officer admitted the same thing, which caused the judge to continue the case for a week until such evidence as was necessary to support the charges was presented. Said Judge Duncan:

"There seems to be no evidence of disorderly conduct here, but it is a matter of constitutional privileges."

When asked by the boy's lawyer if it were true that had the defendants been white and acting as they did, would they be forcibly removed, the librarian said no.

Practically admitting that the cause for the arrest was a matter of color and not a violation of any city ordinance, the librarian had no tangible evidence to offer the court.

The boys, Otis Tucker, Edward Gaddis, Morris Murray, William Evans and Clarence Strange, had visited the library and when refused use of the facilities of the institution, staged a "sit-down strike" in the reading room. When ordered out, they refused to go, quietly taking books from the shelves of the library, sitting down and started reading. The librarian then called a policeman who placed the youths under arrest for disorderly conduct. Defending them was S. W. Tucker, a local attorney.

Judge James Reece Duncan presided and gave the defendants every possible advantage under the peculiar laws of the state of Virginia.

Continued for a week, the case is attracting considerable attention as it has a definite bearing on the jim crow laws of the Old Dominion state—and as Judge Duncan pointed out, affected the constitutional rights of citizens.

Va. Library Case Gets Continuance

WASHINGTON, D. C., Dec. 15—One of Alexandria's celebrated library cases was further delayed when it came up for trial in corporation court Monday of last week because of the tardiness of the plaintiff's lawyer.

The case of Sergt. George S. Wilson, who had filed for a writ of mandamus to compel the city librarian to issue him a library card, was called to trial by Judge William Woolls when court opened Monday morning. The jury assembled and several prominent N.A.A.C.P. attorneys from Washington were on hand.

The court waited about 20 minutes for the lawyer to appear and then postponed the trial until the next session of the court which will be this week. When Mr. Tucker arrived at court, the trial had been called off.

He explained his lateness by saying that Prosecuting Attorney Armistead L. Boothe had told him that two cases were scheduled to precede Wilson's case on that morning and he was under the impression that he was in good time.

Youths Jailed In Jim Crow Library Case May Be Freed

Cops Testify Quintet Was Very Orderly

Arrested On Disorderly Conduct Charges, Sought Membership

TOLD TO LEAVE

Library Aide Testifies Youths Were Orderly, Properly Dressed

ALEXANDRIA, Va.—The refusal of five colored youths to leave a library reserved for whites caused their arrest, last Monday evening, on the alleged charge of disorderly conduct.

The five youths, Morris L. Murray, 22; Otto L. Tucker, 22; Edward Gaddis, 21; William Evans, 19; and Clarence Strange, went to the Alexandria City Library in an effort to obtain library memberships.

They went to the librarian singly, and requested cards from the librarian, who refused them. They then took books from the shelves and began to read them, seated at one of the tables.

The librarian called the police. They had been reading about half an hour, one of the defendants stated, when two policemen arrived.

They were requested to leave, and when they asked if they were under arrest, one of the policemen said: "Not if you leave the library; but if you stay, I am sorry, but I will have to arrest you."

When the quintet refused to leave they were placed under arrest, charged with disorderly conduct. All were held for court.

On Tuesday, when the trial was held, the police testified that the youths were not disorderly and were properly attired and were not destroying property. This threw doubt on the disorderly charge.

S. Wilbur Tucker, defense attorney, cross questioning the police, asked if the men were arrested because they were "black". The reply was that the library was exclusively for the use of whites. There are no library facilities here for colored.

The library assistant, William Adam, testified that the men were orderly and were properly attired. He said that he had instructions not to permit colored people to use the library.

The case was continued for one week at the District Attorney's request. The defendants were released on their own recognizance.

Denied Library Use, Youths Face Trial In Sit-Down Strike

WASHINGTON, Aug. 31—(ANP)—To the utter amazement of the crowded court assembled to hear the charges of disorderly conduct against five youths who sought the use of Alexandria's public library, every one of the lads was neatly dressed, intelligent in appearance and conducted themselves as gentlemen should—and the charges preferred against them were disorderly conduct.

When the trial got under way, both the librarian and the arresting officer declared that there was no evidence of disorderly conduct and that the youths were behaving themselves as any other ordinary users of the library.

The counsel for the boys then forced the librarian to admit that she had had the young men removed because they were colored and not disorderly.

The arresting officer admitted the same thing, which caused the judge to continue the case for a week, until such evidence as was necessary to support the charges was presented. Said Judge Duncan:

"There seems to be no evidence of disorderly conduct here, but it is a matter of constitutional privileges."

When asked by the boys' lawyer if it were true that had the defendants been white and acting as they did, would they be forcibly removed, the librarian said no. Practically admitting that the cause for the arrest was a matter of color and not a violation of any city ordinance, the librarian had no tangible evidence to offer the court.

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Judge James Reece Duncan presided and gave the defendants every possible advantage under the peculiar laws of the State of Virginia.

Continued for a week, the case is attracting considerable attention as it has a definite bearing on the jim crow laws of the Old Dominion state—and as Judge Duncan pointed out, affected the constitutional rights of citizens

Youths Innocent, Police Unlawful, Argues Tucker in Library Case

Racial Identity Not Involved in Absence of Statute, Pleads Lawyer in Brief Filed with Judge Duncan of Alexandria Police Court

By FLORENCE MURRAY

ALEXANDRIA, Va. — Not only are the five youths who were arrested for using the city library here, innocent of any wrong doing or illegal action, but the officers who arrested them are liable to punishment under the law, Samuel W. Tucker, defense attorney in the now-famous library case, pleads in his brief filed with the court this week.

There is no statute or ordinance in common law under which an act of trespassing, as that involved in the library case, makes it a crime for a person of one race and not for a member of another race.

This was one of the points in the brief filed with the court by Mr. Tucker. The brief was given to Police Court Judge James Duncan this week, following his request last week.

It was filed in answer to the motion of the prosecuting attorney, Armistead L. Boothe, white.

The young men were charged with disorderly conduct and after three continuances of their trial, Judge Duncan requested that briefs citing legal authorities be submitted to him by counsel on both sides. It is expected that his decision will be given after study of the documents.

Failure to obey a police officer under circumstances similar to those in the case constitutes disorderly conduct, it was argued in the brief filed by City Prosecutor Boothe, citing the case of People versus Galpern in New York in 1932.

Language Termed Disorder

Pointing out the fact that one of the defendants, when approached by the policeman in the library, asked the latter what would be done to him if he did not leave as ordered, Mr. Boothe contended that the case of the State versus (South Carolina, 1913) established the grounds that any language used by the defendant which was calculated to produce disorder and to disturb the quiet and peace was held unlawful and considered to be disorderly conduct, even though no one was disturbed.

Answering these arguments, Tucker's brief stated that "if one is in a place he had a right to be, and is doing what he had a right to do, in a lawful manner, he may resist any assault made upon him, even if necessary to the extent of taking his assailant's life, provided the assailant apparently threatens life or great bodily harm."

He used the case of Otto L. Tucker, one of the defendants, as that of Morris L. Murray, who was the first to be called, having been skipped over due to new evidence in Tucker's case.

"Therefore," Tucker contended in the brief, "if we assume that Tucker [referring to Otto L. Tucker, who is his brother] had the right to sit and read in the library, there is nothing left for judicial determination unless we can find that: (1) the police officer's order that Tucker should leave was clothed with authority of the law, or (2) the manner in which he exercised the right we are assuming him to have had was in fact disorderly and in fact did breach the peace."

Police Unlawful

On the first point cited in the above paragraph, Tucker contended that upon the assumption that the young man had a right to sit and read, the police officer was not only without authority of law to order him to leave, but that his attempt to make him leave was unlawful and punishable under the criminal law, and actionable under the civil laws of the State.

Concerning the second point, he declares that the evidence shows that the only objectionable feature about the entire incident was that Tucker was colored, and that in the absence of a statute requiring the court to do so, "we cannot allow his racial identity to enter into the consideration of this case."

"One who without invitation, quietly enters a library," the brief continues, "though privately owned and operated, and does no more than sit and read therein is neither guilty of disorderly conduct, nor of conduct tending to a breach of the peace (until he refuses to leave upon request of the owner), nor of any offense approaching the magnitude of a crime; and his innocence is in no wise altered by the fact that he may be a colored man and that the definitely known policy of the library is to accommodate white people only."

Cites Contract

Furthermore, he argues, "there is no statute or ordinance under which such act, amounting to no more than a trespass if any offense at all — when committed by a person of one race, can be constructed as a crime when committed by a person of another race; and certainly such discrimination is unknown in common law."

The contract under which the library was established clearly indicates that the library is a public library, the defense lawyer says, adding that the City of Alexandria maintains the building at considerable expense.

Where the municipality has undertaken the function of providing public library facilities, not only does the law give to every citizen the right to the use thereof, he asserts, but the law enjoins the municipality from denying to any citizen access to any building which may be dedicated for such such persons as are entitled to use its facilities, and that Mr. Wilson is a resident and citizen and as such is entitled to use the library; but that when applying for the library card, he did not identify himself as a person entitled to such privileges.

In other words, as was contended by Attorney Boothe in his demurrer to the petition, Mr. Wilson did not prove his citizenship at the time he applied for the card. Boothe went further to contend that he also did not prove his intentions to use the library.

When he has properly identified himself, the decision infers, the mandamus will be granted. An amended bill will be accepted, it stated further.

The text of Judge Woolls's decision follows:

"Dear Sirs:

"In the above matter I believe the demurrer should be sustained.

"The petition for a writ of mandamus, in short, alleges:

"(1) That the City of Alexandria maintains a public library; (2) That the residents and citizens of Alexandria have a right to be registered as readers and patrons of said library, and to use, read and withdraw the books thereof; (3) That it is the duty of the librarian to register as readers and patrons such persons as apply and are entitled to use and enjoy such library; (4) That petitioner, George Wilson, is a resident and citizen of Alexandria, and as such entitled to use and enjoy the facilities of the library; (5) That said petitioner applied to be registered as a patron and reader; and (6) That the librarian refused to issue such reading card and extend such privileges.

"For the purpose of the demurrer, all of the above is conceded to be true. Also, for the demurrer, a complete case must be set up in the pleading, showing petitioner entitled to the relief sought.

"When one is required to perform a ministerial act or duty under certain conditions, after being apprised of the existence of such conditions, and refuses to do so, mandamus will require that it be done.

"When pleadings, however, do not allege that George Wilson identified himself to the librarian as a person entitled to use and enjoy the library, and until this was done, there was no duty on the librarian to issue a reading card. As there has, from the pleading, been no refusal by the librarian to perform a required duty, mandamus will not lie, and the demurrer to the petition is therefore sustained.

"If you will draw a decree embracing the above opinion, I will be glad to enter it.

"W. P. WOOLLS

"Judge of Corporation Court."

Wilson Denied Library Card In Alexandria

Identity Not Proved, Rules Judge Woolls

ALEXANDRIA, Va. — George Wilson, retired Army sergeant, was denied his petition for a writ of mandamus compelling the librarian of the Alexandria City Library to give him a library card, by Judge William P. Woolls, of the corporation court, in a decision handed down, this week.

Mr. Wilson filed the petition May 9 in an effort to force the librarian, Miss Katherine H. Scoggin, white, and the city to grant to him use of the library, pleading that he was a citizen and the library was maintained by the city for its citizens.

In denying the writ Judge Woolls held that Mr. Wilson did not identify himself to the librarian as a citizen entitled to use and enjoy the library, and until this was done, he decided, there was no duty on the librarian to issue a reading card.

Copies of the judge's decision are to be forwarded to S. Wilbur Tucker, lawyer for Mr. Wilson; Armstead L. Boothe, city attorney; and Elliott F. Hoffman, clerk of the corporation court.

The case was the first one to come about in the fight of the colored citizens for the use of the City Library. A second case involving the same issue is that of the city against five youths who were arrested for reading in the library.

Upholds Demurrer

In making the decision, Judge Woolls upheld the demurrer of Prosecuting Attorney Boothe, who argued that the plaintiff did not make known his qualifications as a tax-paying citizen and his intentions regarding the library.

The court grants that the library is maintained by the city for the use of its citizens, that it is the duty of the librarian to register public library use, regardless of his race or color.

The men on trial in the case are Otto L. Tucker, Morris L. Murray, Clarence Strange, William Evans, and Edward Gaddis. They were arrested on August 21.

Social Agencies, Police Brutality Charges Under Scrutiny in Richmond

(Staff Correspondence)

RICHMOND, Va.—"Social service negligence and police brutality must cease here" is the demand of the Citizens' Defense Organization, which Tuesday night took the social service issue to the finance committee of City Council. Samuel Kelly, secretary of the group, presented the case, aided by Amos C. Clark and C. O. Dean.

The police brutality issue hasn't been advanced as far, but the National Association for the Advancement of Colored People has entered the case of Willie Watkins, who died after being shot by Officer Stratton on the heels of a reversal of a fine imposed in Police Court on Mrs. Rose Parks.

Mrs. Parks was beaten, according to the association, by an officer who went to her home without a warrant. Attorney J. Thomas Hewin handled this case and Attorney J. Byron Hopkins the Watkins affair.

The citizens' group is prepairing a list of police brutality cases, dating back to 1933.

No tie-up between the two bodies is reported. The NAACP is conducting each case on its merits. The CDO is planning a program of creating popular sentiment against the situation.

BRANCH COOPERATES

The Richmond NAACP branch has given the following cooperation on recent cases of police brutality in Richmond:

WILLIE WATKINS CASE—Cooperated with the family and funeral director through Attorney Hopkins. Watkins had been shot by Officer Straton and later died.

MRS. ROSA PARKS CASE—Handled by branch through Attorney Hewin, Jr. Mrs. Parks was fined $20 in Police Court. On October 6, in Hustings Court, the case against Mrs. Parks was dismissed. She had been beaten by Officer Johnson, who had gone to her home without any warrant, it was charged.

Lynchburg High Wins Right to Use Stadium

LYNCHBURG, Va.—After considerable discussion, Lynchburg City Council on Monday, lastweek, rescinded its previous action barring colored teams from the new city stadium by a vote of 6 to 1. The motion was made by Walker Pettyjohn, without reference to colored teams.

At a previous meeting, the council had voted 6 to 2 to bar colored teams from the stadium. The plan was to compel the teams to play at Jefferson Park, a project designated especially for colored. Edley Craighill, bitter enemy of the race, led the move to bar the teams. Only Abe Schewell and Wister Heald voted against the original motion. Mayor L. E. Lichford was absent when the first vote was taken.

Hold Protest Meeting

A protest meeting was held at Court Street Baptist Church and at Jackson Street Methodist Church. A citizens' committee was formed to decide on what action, if any, the citizens would take on the matter. Meantime, the Lynchburg Interracial Commission interested itself in the question and contacted members of the council through its committee.

When the City Council met last Monday, there were sharp words between Councilman Edley Craighill and Councilman John L. Suttenfield. Craighill said $38,000 had been spent on the Jefferson Park and that in permitting colored teams to play at the stadium, while providing a recreational park for them, would be tantamount to throwing that money away.

Craighill charged that the council rescinded its action because of the pressure brought by a "small group connected with the Interracial Commission."

While the council action permitting colored teams to play at the City Stadium made no reference to how long, it has been rumored that this permission will hold only for this football season.

Sales Girl Reprimanded For Discrimination Act

An incident which appeared to be discriminatory drew a sharp reprimand for an extar employee of the S. H. Kress 5 and 10 cent store. The incident, in which a Negro customer is alleged to have been ignored and short changed by the salesgirl, occurred last Saturday when sixteen year-old Florence Bown was shopping in the basement of the store.

Miss Bown said she stood at a bargain counter nearly three quarters of an hour, trying to purchase a pair of sox, and that other customers who approached the counter were waited on ahead of her. Finally, Miss Bown said, after making a ten cent purchase she was short changed and her change dropped into a merchandise compartment of the counter. After making a complaint to the acting manager the girl was told that the salesgirl would be reprimanded.

J. S. Duggan, assistant manager of the store told an Enterprise representative that the girl was one of a number lately employed to do extra work at the store. He also stated that any discriminatory practices were not in keeping with the policy of the company.

Although the accident appeared to be accidental, the girl was reprimanded and reminded that any employee using discriminatory tactics would be discharged.

Segregation Of Negro Soldiers Investigated

Colored Soldiers Are Segregated In Busses and Theatre at Fort Lewis; 122 New Recruits Hear Talk By Urban League Man

Charges of discrimination against Negro recruits at Fort Lewis were investigated Wednesday by Bernard E. Squires, executive secretary of the Seattle Urban League, Dr. Wm. H. Calhoun and T. John Wood, associate editor of the Northwest Enterprize. The investigation revealed that while there is discrimination at the Fort, some reports of conditions have been exaggerated. The reports which were the basis for the investigation were to the effect that members of the 47th Quartermasters' Regiment, composed of fresh recruits from Chicago, had been forced off the sidewalks by white soldiers, segregated in busses and the theatre and were forced to live in tents while white soldiers were quartered in concrete barracks.

An interview with Sergeant Clark revealed that incidents of which the Negro recruits complained to the investigating committee had not been reported to authorities at the Fort. He said that the incident in which the colored soldier was forced from the sidewalk could have been settled had a detailed report been made revealing the name of the offender. The incident, according to the Sergeant, had not been reported because the regiment had not adjusted itself to regular army routine and discipline. This routine, he stated, included immediate reports of any infraction of the rules of the army. It was also learned that housing fresh recruits in tents is a regular routine and not an act of discrimination. The 47th has been in Fort Lewis less than three weeks.

OTHER CHARGES ADMITTED

Charges of discrimination in the busses and theatre were substantiated by Sergeant Clark and Captain Wilson, his superior. However, the orders necessary to break up these discriminatory practices must come from General Sweeney, according to Captain Wilson. An appointment with the General to work out a possible solution to the problem has been arranged.

The 47th Quartermasters' Regiment now numbers 122, with fresh recruits arriving from Chicago daily except Wednesdays. Captain Wilson pointed out to the committee that because the new recruits had not been in the service long enough to receive pay, citizens could be of service to the regiment by donating recreational facilities. A football and table games are the immediate needs of the group, while Negro newspapers and magazines would also be appreciated. Sergeant Clark stated that in spite of the regiments' infancy, no reports of misconduct had been lodged against any of the men.

SQUIRES SPEAKS TO REGIMENT

Displaying a keen interest in cooperating with the committee, Sergeant Clark called the regiment together to listen to a talk by Mr Squires. The Urban League secretary spared no words in pointing out that it is imperative that the men acquaint themselves with army discipline. He emphasized the fact that this discipline included the duty of each soldier to report any act of discrimination to officers and that any officer who did not discharge his duty as a soldier after receiving reports not in keeping with army rules, should be reported to his superiors.

Dr. Elmore and Rev. Monroe of Tacoma were also visitors, but not as members of the investigating committee.

Bias Facing Afro-American Expose at W. Va. Poor Farm

CHARLESTON, W.Va.—Segregation and discrimination facing eleven colored inmates of the Kanawha County poor farm near West Virginia State College will be investigated by the Business and Professional Men's Club, with the aid of Earl Brown.

Sleeping quarters for the 119 whites are located in the upstairs rooms of the dormitory. They have [illegible] clean linen, separate lavatory facilities for men and women, and a dining room.

A small section of the dormitory has been partitioned off for use as a hospital. The whites have a staff of fifteen to care for their quarters.

Conditions Grave

The eleven men are not supposed to be located in the basement of the four-story building in a dirty room with their only ventilation coming from a door leading to the outside.

They sleep on low iron bunks. Their linen is soiled. One corner is fixed so that the men can bathe in a wash tub, another corner is partitioned off to serve as a "hospital."

George Jones, an inmate, cares for the other ten.

The elecen men are not supposed to go to any other part of the building without permission —which is never granted.

To keep a man at the State poor farm at Huntington, the county would have to pay $20 per month. The county saves $2-$5 by using the farm near the college.

Wisconsin Legislature Gets Civil Rights Bill

MILWAUKEE, Wis.—A civil rights bill, which would make it unlawful for places of public resort and amusement to discriminate against a person because of race, creed or color, has been introduced in the Wisconsin legislature by Assemblyman Ren Rubin, of this city.

The bill, which would make violators of the law subject to from $100 to $500 in fines, also includes a fine of $1,000 to be levied against utilities that discriminate in employment, and insurance companies that discriminate between white and colored clients in types of policies.

Assemblyman Rubin also introduced a resolution in the legislature memoralizing Congress to pass the anti-lynching bill.

CONGRATULATIONS

True to the ideal of a great institution for the dispensation of higher learning, and for the ultimate lifting of all mankind towards the light of social justice in this democracy, the University of Wisconsin rejected this week a gift of $2,500.

This bequest specified that only "needy, Christian, white, Protestant" students were to benefit from it. The Board of Regents objected to the provisions laid down by the donor on the grounds that all bequests to the university must not be limited to racial identity or religious faith.

In taking this position the University of Wisconsin has given a clear warning to other institutions of like academic standing in the land that the concepts of democracy cannot be properly propagated and perpetuated when centers of culture wilfully and maliciously abet and condone un-American and undemocratic principles.

Too often philanthropic awards have been made with a view, it seems, to farther widen the gap between the races that make up this nation. It would seem that those who are truly interested in the evolution of intelligent citizenry would seek to encourage the black folk whose economic limitations make it doubly hard for them to obtain a decent education.

This, indeed, is not the first instance in which a gift is limited to "white, Christian students." Even some Christian Institutions have permitted themselves to accept gifts from certain philanthropic sources with clauses prohibiting the accommodation of black people.

Both the Board of Regents and the president of the University of Wisconsin deserve to be congratulated for their stand. Were it not for their intellectual honesty and abiding faith in democracy, they might have accepted the gift with the limitations imposed thereon without the public ever having been any the wiser.

They did what they thought to be consistent with their convictions and obligations as administrators of a great educational institution.

Unless the whole philosophy of democracy be tenaciously upheld by those in high and responsible positions, the great masses of our people might as well turn their faces toward the setting sun.

DISCRIMINATION-1939

WISCONSIN

Wisconsin Opposed To Racial Bar

Pearl Dealer 4-7-39

MADISON, Wis.—News was released here this week that the University of Wisconsin faculty went on record adopting a resolution opposing participation of a Wisconsin athletic team in an intercollegiate contest in which any member of the team is barred because of his race.

Dean Lloyd K. Garrison of the law school said today he offered the resolution because Ed Smith, Negro hurdler on the Wisconsin track team, had been barred from a triangular meet at the University of Missouri April 15, for Missouri, Notre Dame and Wisconsin.

The faculty instructed its athletic committee to make inquiries into the circumsances and advised that Wisconsin should withdraw from the meet if it could be done "without breach of faith."